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ASSEMBLY INTERIM COMMITTEE
ON JUDICIARY

Transcript of Proceedings on
Los Angeles County Municipal and Justic
Court Consolidation

December 3, 1963 - El Monte

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ASSEMBLY INTERIM COMMITTEE ON JUDICIARY

Transcript of Proceedings on Los Angeles County Municipal and Justice Court Consolidation

December 3, 1963 - El Monte

MEMBERS OF THE COMMITTEE

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HARVEY JOHNSON, VICE CHAIRMAN

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Members of the Staff

Bernard B. Nebenzahl, Committee Consultant
Helen Myers, Committee Secretary
Erma Oakley, Secretary
Thomas Silk, Jr., Legislative Intern
Joe Fox, District Consultant to the Chairman

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TUESDAY, DECEMBER 3, 1963 - 10:00 A. M.

CITY HALL - EL MONTE

CHAIRMAN WILLSON: We will call the meeting of the Judiciary Committee to order and commence our interim study here in the beautiful City of El Monte.

I would like to introduce first the members of the Committee. On my right is the Vice Chairman of the Judiciary Committee, which consists of all attorneys, Harvey Johnson, Assemblyman from the 58th Assembly District, representing the City of El Monte and other cities here in the Los Angeles area. He has done a good job up there as Vice Chairman, handling the gavel when it was necessary and keeping order in our Committee and doing a fine job. You people of El Monte can well be proud of your representative.

On my left, from the City and County of Sacramento, the Ninth Assembly District, right in the heart of the State and the host city where we meet every year in Sacramento at the Capitol, is Assemblyman Ed Z'berg. He is Chairman of the Natural Resources Committee and we are mighty happy to have him come down here and find that we do have smog free days. Ed, you can see the mountains up there if you take a good look. We're in a beautiful spot today.

We have other Committee members coming. I would like to introduce on my staff our consultant, Attorney Bernard Nebenzahl, and representing our staff on the public relations side, Joe Fox over on the left. And representing our good office in Sacramento, a man who is going to take down everything you say, the Assistant Sergeant-at-Arms, who represents directly the entire 80 Assemblymen in Sacramento, Fred Galli. Fred, I'm mighty happy to have you with us this morning.

Now, Mr. Vice Chairman, before I turn the gavel over to you for a few minutes to introduce some of the fine people you have here, the President of the United States, President Johnson, has announced that we are in a thirty day period of mourning for our late President and I think as all fine Americans, and in respect for the great office which the late President held, that it would be altogether fitting and proper if everyone in this room would stand for a moment in silence and respect. Thank you.

Assemblyman Harvey Johnson, everyone of us is delighted to be here. We have other Assemblymen coming. Milton Marks had to express his regrets that he couldn't be here this morning. He had to make a fast trip east and he won't be here but we are expecting some of the other Assemblymen. As soon as they come we will introduce them. I think, at this time, we would like to have you introduce the Mayor and the notables here in the City of El Monte. So I will turn the gavel over to you and ask if you will do that.

MR. JOHNSON: Thank you, Chairman Willson, and I believe you neglected to introduce yourself. Our Chairman is Mr. George Willson, spelled with two ls, from the 52nd District of Huntington Park. And a very fine chairman he has been. We have had many bills in Sacramento which were handled with dispatch and we finished our program without night meetings, that is if you can determine stopping work at eight o'clock is not a night meeting. I would like to present our Mayor, the Honorable Leslie Dagley.

MAYOR DAGLEY: Mr. Willson, members of the Judiciary Interim Committee, ladies and gentlemen. It is with pleasure that we welcome this Committee to the City of El Monte. We think these are fine quarters for our meetings and we hope you feel the same way. When Harvey first approached me about having a meeting here I came home from San

Francisco where I had met him and suggested to the Chamber of Commerce that they host a meeting here and they were only too happy to. So at this time I would like to introduce the President of our Chamber of Commerce, Bill Haugsted. Our Chamber Manager is Pat Rowland. And now at this time I'd like to have our City Manager, the man that makes things jell around the city hall come forward and introduce the staff, Telpher Wright.

MR. WRIGHT: Chairman Willson, Harvey and other members of the Committee, I don't think I've ever seen such a room full of distinguished guests in El Monte all at one time and usually when we get a room this full of people we know there is something wrong in town and we all get our cars out and start looking, but I think most of these people are friendly today, at least they have been in coming in. I would like to reiterate the statement of our mayor that we do welcome you here. I would like to add one other thing - when we introduce our staff - if there is anything that any member of our staff can do to make your stay here more pleasant, more easy and your work better you just call on them and I'm sure you will get the best help you can get in the City of El Monte.

First, I'll start at the back of the room, our Chief of Police, Orval Davis. You may have to get acquainted with him if you parked around here any place. And in front of him, the man that keeps him out of trouble, our City Attorney, Jim Nicklin, and then our City Treasurer, Harry Gist; City Clerk, Viola Nicolet; Director of Finance, Mary Jane Wright; our Fire Chief, Chalmer Wire; our Director of Public Works, Travis Manning. We welcome you here and hope you enjoy your stay.

MAYOR DAGLEY: Thank you, Telpher, and I would like to present the Judiciary from El Monte, the El Monte Municipal Court, the Honorable John Otis, Judge Ray Galceran and Commissioner, Hurl Churchill.

We are real happy that you could take time from your busy court calendar, I know it is busy, Judge Otis.

JUDGE OTIS: Would you excuse us because we do have some trials but we wanted to come here and we'll see you again tonight. We are happy to have you appear here in El Monte.

MR. JOHNSON: I believe we have here Mr. Peterson who is a Court Clerk of San Diego and President of the Association of Municipal Court Clerks. Thank you, and I believe you have with you the secretary, would you care to present her? Thank you.

Mr. Willson and members of the Committee I would like to present the members of my staff who are here. First, Mrs. Grace Walvoord, my Legislative Secretary and Mr. Andy Patterson, Field Secretary, Mr. Neil Brosnahan. I haven't thought of a title yet but we'll think of one.

I also see in the audience some of our local attorneys. I would like to recognize them. Milton Gelber, Bud Knoblauch, we'll see him later today and Clifford Allen. Thank you fellows for coming. Chuck Wiggins, we think of him as a councilman but he is an attorney. Apparently my partners are tending store. I believe that is all the introductions I have, Chairman Willson, and thank you for this opportunity of presenting these people to the Committee.

CHAIRMAN WILLSON: Thank you very much, Harvey. On behalf of the Committee we'd like to say thank you for the opportunity of meeting here in El Monte. This is somewhat different from our usual course. We generally meet either in the Los Angeles area or some of the other northern cities in the state buildings there but we thought that inasmuch as this court consolidation program and the factors involved were of concern to local cities, to the judges, to the administrators of the courts, and city councilmen and fathers and mayors that we would like to meet in the cities and give the cities themselves an opportunity to come and be heard.

You might like to know that this is an interim study committee. Our purpose is fact-finding and we are seeking information in order that we may consider appropriate legislation at a later date either at a special session - and the first opportunity would be one called by the Governor - and probably that would be, if any, concurrently with the budget session which commences next year February 3, at which time we consider the budget. If the Governor, who has the power by constitutional authority, wants to call a special session on this subject matter concurrently therewith he can do so and legislation might then be considered. Otherwise, it would normally and usually be considered in 1965 at the general session of the State Legislature. So we are fact finding. We are not going to vote on anything today. We would require a majority of our Committee to vote on anything that was to be effective.

We have had another member come in who represents the 25th Assembly District in the State of California, from the very fine city of San Jose, Santa Clara County, Assemblyman William F. Stanton. Bill, glad to see you. We do have somg-free days, I reminded Ed of that, and I hope you enjoy it down here.

I might say, for the benefit of the Committee, you are in a city of 40,200 people, approximately seven square miles and I think back in 1956 Mr. Wright said this city had a population of 9,000. So the explosive growth in Southern California must come to your attention, you fellows who live up in the northern part of the State. You are not standing still, either, are you?

I would like to thank all of you for coming out here. We have Mr. A. T. Richardson, Editor of the Pomona Progress Bulletin and Publisher. We have Harry Bortin, Pasadena Independent-Star News. We have Mr. J. Robert Smith, also from the Pasadena Independent-Star News. We have Mr. Clifford E.Swanson, Santa Monica Municipal Court Clerk. He wants to be on our mailing list. We have Judge Lawrence E. Madsen of Colton, California, representing Judges, Marshals and Constables Association of the State of California. We have Judge Hector P. Baida of the Santa Monica Municipal Court. Then we have Mr. John R. Leach. I think he is going to testify, from the County of Los Angeles. We have Mr. George Wakefield, Attorney, representing Los Angeles County; Mr. Patrick Rowland, Manager of the El Monte Chamber of Commerce. I thought we ought to have a word from the President about the City of El Monte.

MR. JOHNSON: The President of the Chamber of Commerce is Mr. William Haugsted.

CHAIRMAN WILLSON: Bill, I was looking right at you and I think this would be an excellent opportunity to say something to the Committee about El Monte, if you would like.

MR. HAUGSTED: Well, thank you, Chairman Willson, and distinguished Assemblymen and ladies and gentlemen. On behalf of the Chamber of Commerce I would like to welcome you here. I think you will find that El Monte is a very dynamic community. We are very much interested in progress. We have a very active Chamber of Commerce and a very active community. We are certainly glad that you are here today and if we can help you in any way, we will be glad to do so. Thank you.

CHAIRMAN WILLSON: Thank you very much.

We have Mr. Charles Beal, representing the Los Angeles Daily Journal. Glad to have you here, Charles.

We have Mr. Neil Brosnahan, and we have Mr. Telpher E. Wright and we have Mr. Travis L. Manning and we have Mr. Chalmer Wire, that's the Fire Chief. Judge Joseph A. Sprankle, who will appear on our program.

Mr. Samuel Gorlick, City Attorney and of course Leonard Horwin, Mayor pro Tem Beverly Hills. I think he is going to appear in behalf of the League of California Cities. Now if anyone wants to speak our agenda is very fluid and if you have a time element please advise the chairman so that we can help you because we appreciate having you come in.

Some 26 standing committees of the lower house, the 80 Assemblymen that is, 79 men and one woman, represent the State of California in the lower house. We have two committees representing legal problems, one called the Criminal Procedure Committee and one called the Judiciary. This is an interim study program of the Judiciary which handles the civil side of legal problems. We are going to make a record, as I have said before, and if anyone wants copies of the transcript we will be happy to furnish them. They will be helpful to you in your work.

Along the line that our vice chairman spoke about the work of this Committee, we had more bills this year in the Assembly than any other Committee, so it is a hard working Committee - 15 attorneys - and believe me when they take a measure apart up in your Capitol and put it back together again it has been looked over very carefully and it's a pleasure to be the Chairman of that Committee. I know Harvey joins me - they not only do a good job working as a Committee but they work the Chairman and they work the Vice Chairman too.

Does any member of the Committee have anything he would like to say at this time? I should offer you that opportunity. Ed, anything you want to say?

MR. Z'BERG: No.

CHAIRMAN WILLSON: We'll get under way here then. Judge Baida has a calendar problem and would like to get away before eleven so I had better just change our calendar a little bit and ask you, sir, if you will address the Committee at this time.

JUDGE BAIDA: Mr. Chairman, and members of the Committee, my remarks are based upon my observation of the several past attempts to affect the consolidation of all of the courts in the County of Los Angeles into one single court. I will now turn to my typewritten notes.

Let those who recommend a "cure all" remedy for true or imaginative conditions existing in our courts be reminded that an ordinary physician would not dare to operate until he had first diagnosed the patient's existing condition and then only if the diagnosis showed that the operation was required. There is no reason why this recognized procedure should not be followed in the operation this Committee is asked to make upon the body or bodies politics in this County, namely to fuse or consolidate all the municipal courts of this County into one county-wide court only to be immediately cut or divided into nine or ten parts or separate districts.

Accordingly, may I be so bold as to suggest the following approach to the problem now before this Committee.

Step 1 - A Survey. An impartial and in depth survey of the operations of every municipal court within the County should be made for the purpose of determining conditions as they exist today.

Step 2 - Evaluation of the survey with the facts firmly established, the weaknesses or defects, if any in the present court system will become apparent. It could be established that there exists no substantial weakness or defect, that there is no basis for disturbing the system and the Committee's past defended.

Step 3 - Remedy, if any. Should the survey establish conditions that need correction and they can be corrected then a plan whether it be consolidation, decentralization or a combination of both should be specifically designed to obtain the desired results.

Step 4 - Determine legality before adopting the plan. Before adopting one of such plans it should be first determined if the selected plan meets the moral, legal and constitutional requirements of the people of the State of California. The validity of this four-step proposal can be sustained by our view of the history -

(1) of the establishment of a mutual traffic index system,

(2) a comparison of the consolidated marshal's office with the office of the clerks of the smaller, outlying courts,

(3) the attempts to consolidate all of the municipal courts into a single court and,

(4) the nine-court plan as it affects the courts of Beverly Hills, Culver City and Santa Monica.

First, the mutual traffic index system. This system with the exchange of information relating to the issuance of prior citations between the court was adopted and placed into operation on an almost county-wide basis in utter disregard of whether the method used to accomplish this purpose complied with existing laws. A court using this information transmitted in the present manner violates the express provisions of Vehicle Code 40505, 40513 and Penal Code Section 1204 and the holding of the cases cited in the attached memorandum marked Exhibit A. This is the third memorandum prepared on this subject. Copies of earlier memorandums were sent to the sponsor of the system, to interested persons in January of this year and as a result Senator Rees introduced Senate Bill 1546 which failed to pass the Assembly and it was doubtful if this bill was comprehensive enough to legalize the present system, but that's beside the point.

The reason for mentioning all of this is to emphasize the fact that the question of the legality of the index system was rather known before its adoption. For the reason stated in Exhibit A, Santa Monica withdrew from the system immediately after the most recent adoption of a county-wide bail schedule, requiring increased bail in cases where the system disclosed the existence of a prior citation. The disclosure consisted of a notation added to the court's copy of the citation in this fashion. "12/3 - 22350" indicating the person appearing in the Santa Monica Court had been previously cited for speeding somewhere in Los Angeles County. The final disposition of the foreign citation is not brought to the court's attention at any time prior to the imposition of sentence. The attempt to enforce this questionable system upon all of the courts in this County through the use of the mandatory uniform bail schedule serves as an example of consolidation in action.

Second, the comparison of the marshal's office with the clerk's office in the outlying courts. I touched upon this in Beverly Hills but no memorandum was submitted and, for that reason, I will gloss over it. No, I will continue. In 1958 the eight independent marshal's offices of Los Angeles County were consolidated, resulting in the single marshal plan for Los Angeles County. The achievements of this consolidation seemed to be these: 1. An increase in top level personnel, increased operating costs and the morale of the personnel is open to question. As a result of the consolidation - the following new positions were created and as of the year 1953 were: One marshal of the municipal court, one assistant marshal, one chief deputy inspector, one chief deputy marshal, six inspectors, one business manager-auditor and the necessary clerks or staff to serve the above. As of 1961 the number of inspectors was reduced to three. The business manager need not be an auditor and the number of secretaries was increased from two to four.

2. The increased operating cost: A comparison of the salary cost of operating the eight municipal courts of Los Angeles County for the fiscal year 1950, as compared with the year 1963-64 increased 351 percent. The marshal's office for the same period of comparison increased 537 percent. These details are set forth in my memorandum. The ratio of the marshal's office to the salary costs of the municipal court was 29.8 percent as of 1950-51, as contrasted with 45.5 percent as of 1963-64. The percentages stated by me at the October 30, 1963 hearing before this Committee were based upon figures compiled by Judge Lothrop E. Smith of Alhambra several years ago and a copy of the supporting data is attached and marked Exhibit B.

3. I have mentioned before the morale of the personnel and the fact that six persons had been in charge of the Santa Monica office in the past year, an indication of instability.

Whether or not these factors are offset by increased efficiency and better service to the public may only be determined by a complete and impartial analysis and appraisal of the present operation of the marshal's office. The only statistics relating to the increased efficiency in the consolidated marshal's office contained in the Holbrook survey of 1956 may be found at page 183.

> "Formerly, when there were eight independent marshal's offices serving civil process, the unit cost of serving process was much higher than that of the larger sheriff's departments at the time. Now, with the unified marshal's office with its twenty-four branch offices scattered throughout the county, that office is able to achieve a much lower unit cost than the sheriff's office with only six branches.
>
> The county auditor's staff computed the cost of process serving for the fiscal year 1953-54 which showed an average cost per service of $2.34 for the marshal and $4.19 for the civil division of the sheriff. The marshal averaged 3.2 miles per process served whereas the sheriff averaged 9.7 miles per process served during the fiscal year 1954-55."

Whether such savings could have been affected without consolidation should be first determined before the proper weight may be given the above excerpt from Holbrook. Unfortunately the survey does not show the unit cost of the serving process by either the marshal or the sheriff's office immediately prior to consolidation. Therefore, we are not able to make a determination of the amount of savings to the individual litigant. However, the marshal's twenty-four branch office $2.34 cost and 3.2 miles per unit as compared with the sheriff's six branch offices $4.19 and 9.7 miles is a rather strong argument against consolidation insofar as these services are concerned, and standing alone supports the validity of arguments in favor of a greater decentralization.

What has just been set forth is not intended as a criticism of the present operation of the marshal's office. I am the first to admit that I do not have sufficient knowledge of the subject to make a judgment. However, I am intimately acquainted with the operation of the Santa Monica Clerk's office. It is the combined accomplishments of this and other outlying clerk's offices that I should like to direct your attention, namely:

I have set forth those things at the previous hearing, and they are already in the record so I don't see any point in pointing out the many achievements that have been started and placed into effect and the savings that have resulted therefrom that arose from the initiative of the clerks in the outlying branches. A price tag, of course, cannot be placed upon services of this kind - of the clerk I am speaking of. Suffice it to say it is obvious that substantial savings in operating costs have resulted in the initiation of these sound economies in the outlying courts and at the same time service to the public has been increased rather than lessened. All of this is undoubtedly due to the esprit de corps of the entire staff of the clerk's office and the opportunity to experiment with new ideas, coupled with the responsibility of carrying them into effect. All of these are present in the smaller courts and I should not like to see them destroyed and buried in a large county-wide clerk's office.

Third, The Consolidated - One Municipal Court. The foregoing comparison of the operating cost of the marshal's office with the total operating costs of the municipal courts indicates that there may be a question as to whether a savings to the taxpayer would result from the adoption of the single court plan. Of course, any plan should seek to effect such savings, but at the same time make certain that it does not unduly burden the litigant, lawyer and witness on non-trial days.

An important factor of any court system is the cost of litigation to the litigant. The number of times he is required to attend with his attorney and witnesses substantially affects the total amount of these costs.

The 49-judge Los Angeles Municipal Court could be compared with the operations of the lesser numbered outlying courts for the purpose of determining the number of days of required attendance of litigants between the dates set for trial and the day the trial actually commences, for the purpose of approximating these costs to the litigant.

Fourth, The Nine Court Plan as it affects the courts of Beverly Hills, Culver and Santa Monica.

Conceding that such a consolidation would facilitate the transfer of cases and judges between these courts, in instances where there is trial court time available, the two methods for accomplishing this would be these:

(1) Send the case, litigants, lawyers and witnesses to the available court, or

(2) Send the judge to the court where the case is being held,

provided the latter court has the facilities to accomodate the extra judge and court attaches.

And let me close my remarks by adding this - that I am not in favor of any particular plan nor am I opposed to any particular plan. As I urged at the commencement, there should be a thorough survey of existing conditions before there be any such change. However, rather than put into effect the consolidation which is a compromise such as suggested between Beverly Hills, Culver and Santa Monica, which divides up an area, such a plan is not as desirable as perhaps the plan suggested by Judge Scherb where the entire county would be divided into separate districts somewhat along the lines of the superior court, and this should be done even if it requires a constitutional amendment to accomplish that end. Thank you very much.

CHAIRMAN WILLSON: Judge Baida, may we ask some questions please?

JUDGE BAIDA: Yes sir.

CHAIRMAN WILLSON: First of all, do you have a copy of that for the Committee?

JUDGE BAIDA: Yes sir.

CHAIRMAN WILLSON: Fine. I would like to ask you, Judge, you are representing the Santa Monica District Court?

JUDGE BAIDA: Yes sir.

CHAIRMAN WILLSON: How many judges are in your court?

JUDGE BAIDA: Two.

CHAIRMAN WILLSON: Now if your calendar should blow up as we say and you should have some time under the present law, under Section 402 of the Code, because Santa Monica is not contiguous with Culver City and Beverly Hills - I don't know what this is right here (pointing to map).

JUDGE BAIDA: That's a part of the San Diego Freeway. We have jurisdiction over that.

CHAIRMAN WILLSON: All right.

JUDGE BAIDA: That's impossible. Somebody didn't want that so they gave it to us.

CHAIRMAN WILLSON: They gave it to your district. All right. Well now if you have court time, is there any way that you can legally have cases sent from - say the Culver City District, or the Beverly Hills District to your court?

JUDGE BAIDA: No there isn't, not under the present system.

CHAIRMAN WILLSON: It would require an assignment then of judges by the Judicial Council Chairman and that would be the Chief Justice, wouldn't it?

JUDGE BAIDA: That's right. The consolidation would eliminate the necessity of any such assignment.

CHAIRMAN WILLSON: Does it happen that you have days when you would be available to hear cases coming over?

JUDGE BAIDA: Oh yes.

CHAIRMAN WILLSON: And that would be true, probably of the other districts also?

JUDGE BAIDA: That would be true of any court.

CHAIRMAN WILLSON: Any court.

JUDGE BAIDA: Because you never - no matter what the system is - and those of us who were practicing in Los Angeles when they had the master calendar know - that there are two ways of handling a master calendar. One is to overload it and have the attorneys and litigants attend civic center as many as 10 or 15 or 20 days before going out to trial. I am speaking of the 30's and the 40's. The superior court has experimented with these various plans of calendaring cases and I would are to say that even they have situations there in the larger courts of where they have free time.

CHAIRMAN WILLSON: This is not a criticism. We are searching for some avenue here. Now, in Santa Monica, according to the fact sheet I have here the time wait or median time wait for trial of a jury case is four months, civil jury, and about four months for a non-jury case. Actually now Los Angeles City District is six months. That's a larger district. It takes longer there than it does apparently in your court.

JUDGE BAIDA: Well, they can get to trial sooner in our court if they desire. We found if we set the cases too early that the attorneys objected.

CHAIRMAN WILLSON: I see. All right.

JUDGE BAIDA: One of the perplexing problems is to properly calendar the things. If you remember back in our practices one time when we filed the case it was assigned to department 1, 2, 3, 4, 5. It stayed with that department of the superior court for all purposes, law and motion, trial and final disposition and that's before the advent of the trial calendar. I am giving away my age...but it's been a problem and one because of the human element involved will never be solved.

CHAIRMAN WILLSON: Thank you very much, judge. We appreciate your coming.

Now we have an Assemblyman representing the 45th Assembly District, the City of Monterey Park, and County of Los Angeles, Assemblyman Alfred H. Song - who has just come.

We would like to hear at this time from the Honorable Charles E. Wiggins, City Councilman of El Monte, and attorney. Before you get up to the microphone I would like to introduce two other late comers here. They were fogged in apparently in Sacramento at the airport and were late getting out this morning, our Committee secretary, Mrs. Erma Oakley. Glad to see you made it, Erma. And our Legislative Intern, Mr. Tom Silk, Tom.

Will you proceed, sir.

MR. WIGGINS: Chairman Willson and members of the Committee. I am appearing here this morning with at least two hats on, one as a spokesman for the City of El Monte as a member of the City Council and, also, I have a professional interest in the deliberations of this Committee, as each one of you do, as an attorney that practices within this county and wherever my clients take me within the state.

I'd like to add just a word of my personal thanks for your attendance here in the City. We are particularly pleased that Harvey Johnson, your Vice Chairman, is a member of the Committee and is from El Monte, because, personally, I respect his judgment a great deal in the matters that you are now considering. He has had long experience in practicing in this county and, particularly, is well acquainted with the problems of our local area being a past president of our local bar association. So you have that good fortune and as one of Harvey's constituents I have that good fortune, as well, that he sits on your Committee.

Like most people in this room, I have followed with a great deal of interest the deliberations at the prior hearings of this Committee and I have talked to many people who are concerned about it, people in the city government, attorneys, judges and the like. With my city hat on, I will say that the interest of most municipalities seems to center around and this is their wish and it is all embodied in two words and it's all embodied in the two words "home rule". They seek to preserve home rule and they feel it is being attacked by the various plans to reorganize the municipal courts. It appears, however, that the things that they really want, if you spend some time talking to representatives of municipalities who feel that their right to rule independently is being challenged, is that it seems to me that what they want really is a court in each town - in each community. If they had their "druthers" they would like to have the judge of that court selected from the town. And I've heard many people say this, they feel it's important that they have the ear of the local judge, particularly with respect to the law enforcement officers. They feel that they can acquaint him, orient him to local problems and local needs and he, therefore, can administer justice better if they have this right. Then, also, of course, they would like to have the right to elect those judges from within the jurisdiction of that court.

Now, it appears to me that's what many people want who have spoken to this group and yet I'd like to suggest that that doesn't represent the legitimate needs of the people and I say that even though I am on the city and I am, like others, dedicated to home rule. I don't think that it represents the legitimate needs in the area of judicial administration. The things that people need, and they have a right to expect, it seems to me, are that they receive a fair and impartial trial by competent judges and that those judges be responsible to the electorate within their jurisdiction. It seems to me, further, that the people are entitled to efficient administration and I am talking now about dollars and cents, economy, but only within the framework of a fair and competent proceeding. I don't think that this is a place to pinch pennies when you are talking about a fundamental problem. They are certainly entitled to the efficient administration of the case load, the administration problem of working a case from the filing through the final disposition of it. I suspect that cities are, at present, not getting all that they want but I think that the legitimate needs of these cities are nevertheless being answered under existing law except in one critical area and that area I suggest is the efficient administration of these cases.

Now, the problem, and I think it is the entire problem, is one of case load. That's the problem. I can't present to the Committee a volume of statistics. However, I have read many of these volumes tending to demonstrate that one court is overloaded relative to another court. I do know, as all of you do, however, the problems of going to certain courts. On some days they are open, on other days they are jammed. And that is a problem. I feel that it is not fair to me if there is a solution, as an attorney. It is not fair to my clients whom I drag from their job and take with me. It's not fair to the witnesses under subpoena. If that problem can be solved, of unequal case load, I think that this Committee will have performed a vital service and will have really attacked the fundamental root of the whole problem.

I hope, therefore, that the solution adopted by this Committee, if it does adopt one, will go to the problem I suggest, namely, unequal case load and will not touch upon the multitude of miscellaneous peremptory problems that have been presented and discussed and argued about, where the clerk should sit, and such things as that. I don't think they go to the problem.

Now, the reason for this unequal case load is well known to everyone. There is no more hard-working judge than say Judge Smith sitting here at the end of the table and I say that without any cases pending. And yet he is laboring under a system that is inherently inefficient. He really is. He knows,as all of you do, that criminal cases are disposed of, that defendants in criminal cases do occasionally plead guilty and that trial that is set for this morning at 10 o'clock does not go. The courts anticipate these problems, they set more trials than they can legitimately handle but, nevertheless, the calendar does "blow up".

In the area of civil cases, we all know that civil cases are settled, that there are many reasons why a civil case will go over, why it will be taken off calendar or continued for legitimate reasons. The court cannot anticipate this but on the basis of experience they invariably set more cases than they can handle, realizing that the probability is that their calendar will be affected by these factors I have just mentioned. Occasionally, everything clicks and we are all waiting in the hall, and none of us can go to trial except the lucky few. I suspect that the only thing that the court can regularly count on for business is their small claims calendar - that always goes. They can count on their criminal arraignments - that happens every morning - particularly on a Monday morning. They can count on their felony preliminaries. Beyond that, they are subject to all of these uncertainties and I suggest that it is a defect in the system under which they are operating.

Now, let me say that the position of the City of El Monte is that it opposes the plan presented by Supervisor Hahn and advocated by others for one single municipal court within the County of Los Angeles. It's reasons for opposing it is because we believe that it is a right of the people to appear before courts, that the judges of those courts be responsible to them, that the judges be responsible to the electorate within the jurisdiction. Now, I don't mean to say by that that we require the boundaries of the jurisdiction be within the City of El Monte. There has to become a balance. But we do feel that if the boundaries constitute the entire County of Los Angeles as a practical matter, the judges are no longer truly responsible to the electorate within their jurisdiction.

The City of El Monte opposes the specifics of your Chairman's proposed bill. However, it does support in principle, the notion of a regional court plan for the municipal court. The specifics I refer to are the things, Mr. Chairman, that it appeared to me that the bill proposed by you held out to various groups that had made a lot of noise. And I think the Chairman will know what I mean when I say that we'll have a single consolidated court but we'll retain the judges, elected from the component districts - the judges must reside within the component districts - the shifting of the clerks around. It appeared to me, and I may well be wrong, that the bill proposed by the Chairman was intended to answer as many of these complaints as possible and still get something before the Legislature. The City of El Monte, therefore, opposes the specific bill but does support in prinicple the job that your Chairman was trying to do and that is, I think, was trying to create a nine-court municipal court district plan.

I'm not so presumptuous as to say that I have the solution to these problems, but let me suggest to you some things that seem important to me and give you the benefits of my thoughts on the subject, at least.

I think there is a long-run solution to this problem and there is a solution that might be treated as a short-run solution. With the short-run I think that it would be desirable if the framework of a district municipal court, that is a nine-district municipal court plan were adopted that these be administrative districts initially, that there be central filing, that there be master calendar arraignments and mandatory assignments. Now, the intent of the new Section 402 of the Code of Civil Procedure is laudable. It is an entirely voluntary thing and it provides an easy avenue of escape for attorneys who desire to delay. They simply do not have to agree and that doesn't help anybody's calendar. It is believed, by me at least, that some mandatory system of assignment is going to be required.

In the long run, however, I think that there is going to be no escape from the necessity of having multi-court complexes within these districts in order to achieve economic, efficient administration of local justice. And I sincerely believe this.

You have had exposed to you this morning the problem of the City of El Monte blossoming from approximately a city of 9,000 five or six or seven years ago to it's present size of 40,000 and the studies projected for the City of El Monte indicate that in the very near future we will be a community of 120,000 or thereabouts. That's an awful lot of people. The same thing is true with respect to our surrounding cities. The pressure of that population will inevitably call for the construction of additional municipal court facilities in this city. Inevitably it will happen. The real cost, it seems to me, is not the dollars-two dollars, three dollars-in transporting a prisoner to a reasonably located central court or transporting witnesses. The real cost is going to be in the acquisition of land and the development of capital improvement to take care of local municipal courts. And we are going to have larger municipal courts in this city, in West Covina, in Pomona, in Arcadia, Monrovia and in all of these areas, of necessity, are going to grow unless there is some attempt to locate multi-court facilities in some logical place within a district. And I don't think that the Committee can escape that as the inevitable result of the population growth of this district. Now that's perhaps an unpopular view among many cities but it's one that the City of El Monte, nevertheless, is committed to. We believe in the principle of the nine-court plan and hope that if the Committee will do so - that it consider: first, the desirability of administrative districts to solve the immediate problems. But that it propose the necessary constitutional changes that will be required to have single courts within the nine districts with the advantages that come to a master calendar arrangement under a single roof.

I thank you, members of the Committee, for permitting me to testify and if any of you have any questions I would be pleased to answer them.

CHAIRMAN WILLSON: There are some questions. First, I want to say thank you for that fine presentation and before I turn to the questions we would like to welcome to our Committee from the 60th Assembly District, serving Santa Monica, Los Angeles and, of course, Los Angeles County, Assemblyman Robert Stevens.

Councilman Wiggins, since you touched on some of the reasons for some opposition to a change it would seem laudable enough, like home rule - may I ask you a question or two along that line?

You are probably a practicing attorney, familiar with the new rule that has gone out in the Los Angeles County Superior Court with reference to court actions...

MR. WIGGINS: Mandatory filing?

CHAIRMAN WILLSON: Where you file an action where it happened and you go to that district? Now, do you find any particular fault with that at the present time? Have you lost any of your effectiveness as a practioner of the law with your particular clients? I am not trying to pry into your business but I mean, do you see any fault in that at the present time?

MR. WIGGINS: Well, with respect to matters that I believe will go to trial - that will be tried - and they hold out the promise of taking four or five or six or more days of the court's time, as a practical matter I would otherwise be reluctant to file in a branch court, because I know their calendar problems. The branch courts take care of criminal, probate, the general civil calendar, domestic relations and the works and tie up a department in trial for five or six days. It works a difficulty on them and also on me. Rather than start at 9:30 in the morning we may have to wait until 10:30, that sort of thing. It tends to delay the trial. However, if those cases that I feel will not result in a long trial, that the probability is in civil cases that it will be settled I welcome the opportunity to file in a branch court because by and large it is more convenient to me. Now when I speak of a branch court I think Pomona because that's my branch court. But it would be inconvenient for me to file in Santa Monica, I suppose, just by reason of the distance involved.

I will say this though, that under the present master calendar Superior Court set-up in Los Angeles, that if you have a case set for trial in Department 1 that if you are willing to wait you are almost surely going to go on. You may have to trail for a reasonable period or an unreasonable period but you know that you are going to go to trial. If a case is set for trial in almost any other court you have no real assurance when you walk into that court whether you are going to go to trial or not and this makes a big difference with respect to expert witnesses, paying doctors for standby time and that sort of thing. There are many courts where you just don't know and they don't know. It's not their fault.

CHAIRMAN WILLSON: That would tend to be an argument in favor of a larger court and against decentralization on that one point?

MR. WIGGINS: Yes, within reasonable areas such as the nine-court district I think that the press of population in the legal business that will come to those courts inevitably require it.

CHAIRMAN WILLSON: Well, Councilman Wiggins, since you have been so forthright in your presentation I want to explore another thought with you. We talk about "home rule" and I think all of us are very mindful of home rule and very interested in maintaining that idea of the "ear of the judge" as you suggested, and I am not sure exactly what that includes but, what about the other side of the coin? Is the attorney from another district at a disadvantage when he comes in to your district because he doesn't know the judge, he is a stranger? Should we give any credence or weight to that, sir?

MR. WIGGINS: The answer is, and I can speak only from my limited experience, without qualification, no. Now, he and I, if I go elsewhere, may not think that, particularly if we get an adverse result. It's a home-town decision but, realistically, I think that the judges before whom I have appeared have been absolutely impartial and have given no special weight to local witnesses and no special weight to the fact that they knew the attorneys. Now, I consider it a plus, I'll say that in terms of such things as continuances and matters that don't perhaps go to the merits of the action. But when you get right down to who is going to win and who is going to lose I personally have seen no real evidence of partiality by judges in favor of one litigant regardless of where he lives or his attorney over the other and I don't think it exists.

I will say, and this is along the lines of the same problem, that it seems to me that a proper result in a case does not depend entirely upon where a judge lives. A competent judge does not have to live within a certain geographical area to maintain a level of competency. I think that these attempts to restrict the residence of a judge unreasonably are not proper so long as they keep in mind the fundamental principle that judges be responsible to the electorate within their jurisdiction. This involves the margin of jurisdiction but I don't go with the notion and I can't believe that others in good conscience will either. And that is that if a judge does not reside in the City of El Monte he cannot give a fair result. Competency and residence do not necessarily go hand in hand.

CHAIRMAN WILLSON: Well, then taking that approach and coming back to the original side of the coin, what are the specifics to which you would refer that would uphold the home rule theory with respect to a judge? Now, setting aside for a moment his election, what is there? Can you give us some specifics? Why is it better to have the judge identified with your city or your district than another judge if they are going to be completely fair in their holdings, what is the advantage? Can you help us on specifics?

MR. WIGGINS: Being more of an advocate now, I am perhaps expressing my own view of the matter, because you have asked me what the reasons are. But we have a good illustration of it here in the City of El Monte. One of our judges, and I don't mean to disparage the other one by referring to him specifically, but one of our judges is John Otis. John Otis is a man that is highly respected in our community and he deserves every bit of it because he has been very active in community affairs. He is active in his church, he is active in youth groups. He has been president of the Coordinating Council, the United Fund. He has done all those things and he is very respected and that respect rubs off and goes with his decisions. His decisions are entitled to more public acceptance, I think, because of the fact that he is a respected member of this community and he has earned it. Now that's important. I agree a result might be right or wrong - but it's not always the way that you are, and you Assemblymen can appreciate this, it's the way that you appear to be and to that extent there is some merit to the contention that a local judge has the community respect and his decisions, therefore, will have more community acceptance than perhaps a stranger.

CHAIRMAN WILLSON: The gist of what you are saying then is that he has more personal identification with an area because he resides there and serves there. Is that the thought you had, in addition to the respect, is that not it?

MR. WIGGINS: I would think so. Now, in saying this, again I am advocating a position that I don't think is the correct one in the long run. This is important.

CHAIRMAN WILLSON: Yes.

MR. WIGGINS: But to me it's not.

CHAIRMAN WILLSON: And we often hear home rule and we are interested in home rule and we would like to get the specifics, especially on the record, to see what the people who do advocate home rule are tying to and we have these conflicting views and that is why I asked the question. I appreciate your candid answer.

Assemblyman Johnson would like to ask a question.

MR. JOHNSON: Mr. Wiggins, I too want to add my thanks to Mr. Willsons for the very fine presentation and, through inadvertence, I failed to present you as a local attorney. You have disclosed that you are a very fine advocate, as I know you to be.

Now you mentioned three things and I would like to get down just a little more in detail because we are faced with working on some sort of a bill. I can add them together and ask you to elaborate just a little bit. You mentioned the three things you think are necessary - administrative district, central filing, and mandatory assignment.

Now administrative district, you are talking something again on the order of a nine-court plan, is that right?

MR. WIGGINS: Yes, Assemblyman Johnson, the administrative district as I can see it would only be a vehicle for implementing the specific things, the central filing and the mandatory assignment. There has to be some presiding judge, some man with authority, and I would imagine that the vehicle of an administrative district would be the technique of accomplishing it.

MR. JOHNSON: Well, what I mean here - you know we have a bill before us with an administrative district throughout the area, which would be a presiding judge. But now you are talking about say, a nine-court plan where we would have, as I recall, three judicial districts in our area right here. Are you talking about this as an administrative district or an administrative district throughout the county?

MR. WIGGINS: No, no, I am personally thinking about an administrative district within the local region here, speaking of our personal locality.

MR. JOHNSON: Then a central filing district for this area?

MR. WIGGINS: Yes.

MR. JOHNSON: And a mandatory assignment say from El Monte to Pomona.

MR. WIGGINS: Or wherever the available court is. To make it work, however, it is going to take some realistic and logical location for the master calendar, and that is not addressed so much to your body as it is to the infinite wisdom of the board of supervisors, but it certainly ought to be a central location.

CHAIRMAN WILLSON: Assemblyman Song.

MR. SONG: Mr. Wiggins, I have several questions here. You have indicated your City Council is for the principle of the nine-court consolidation plan but not the bill itself.

MR. WIGGINS: Yes.

MR. SONG: You talk about case transfers and having an administrative center, etc. In what respect does it differ from the actual bill as far as you comprehend?

MR. WIGGINS: I have the bill here. I reread it again this morning to refresh my memory and the specifics that I think are undesirable in the bill, the business of the presiding judge rotating within the district.

MR. SONG: How would you propose this to be handled, assuming we had a central location, embracing the principles of the nine-court plan? How would the administration be effected?

MR. WIGGINS: It seems to me that there should be a central place where the presiding judge sits.

MR. SONG: And who would be the presiding judge?

MR. WIGGINS: Well, it seems to me that that could be decided amongst the judges involved - they could elect a presiding judge as they do in other courts.

MR. SONG: And that could be on a rotation basis could it not?

MR. WIGGINS: Oh yes, they could move. I would much prefer to have the judges move than I would have the location of the presiding judge - the office - move.

MR. SONG: I see.

MR. WIGGINS: Now that makes sense. It doesn't make sense to me to have the clerk pick up and move. You disrupt the whole filing. You don't know where to go. Whether it's in Pomona, for example, this week or is it in West Covina. There ought to be an office of the presiding judge to which the presiding judge goes.

MR. SONG: All right. That's the prime difference that you have Mr. Wiggins?

MR. WIGGINS: No, there are others. It seemed to me that the plan continuing the election of judges within a municipality was really not necessary other than to satisfy some arguments.

The continuing of the courts within the component districts is an unreasonable limitation. Now, it's desirable - the facility is there - and it's going to be used. But in the long run, and I have said this to the Committee, in the long run I think it is undesirable to limit it to that location. Now, these facilities are not going to be abandoned, but with the growth of the City of El Monte I'll wager in time we could take over that building and occupy it for profitable purposes or if not the City of El Monte then the County will have some use for that building. It is not going to have wheat growing in it, if the court moves out. But I think that it would be unwise to fix in the legislation requiring that the judge - the court rather - the court continue to sit within the component district because, as I have said, in the long run I think we're inevitably going to be drawn to a multi-court complex within a district.

MR. SONG: You, personally, do not feel then do you Mr. Wiggins that the argument of home rule is necessarily a relevant argument in this matter?

MR. WIGGINS: Well, this is a catchy phrase and I admit that I stand up and beat the drums for home rule too as all of you do on occasion. It is a popular concept but you've got to keep your head about you and be reasonable on some things. And I don't think, for example, that the words mean literally what they say - that the City of El Monte has the right to rule our court. I don't think so. It seems to me that the jurisdiction of this court has the right of review of the judge by the normal elective process. They have a right to elect their judge. And if the jurisdiction were larger to include a district that embodied as far east as Pomona and as far west as this city then they have the right to exercise home rule to elect a judge, but I reject the notion - personally reject it - although there are members of my city council that probably would say otherwise, that the City of El Monte has any real right to control our court and control the results that come out of that court. We are trying to achieve a uniform level of justice to people and not something that will vary with the locality.

MR. SONG: All right, Mr. Wiggins, if your city council is willing to embrace the principles of the nine-court plan why is it rejecting ipso facto apparently the one-court plan? You haven't given any reasons there.

MR. WIGGINS: Yes, I attempted to give a reason, Assemblyman Song and it may not be a good one in your judgment but it is good to me. And the reason is that under the one-court plan, in my opinion, the judges no longer are totally responsible to the electorate. Now, you have heard many arguments as to why this is so but as a practical matter it's a fact. It's almost a fact in the El Monte Municipal Court District and perhaps would be even closer to being a fact in a nine-court area, but I think that it is possible, realistically possible, if the bar association made an effort to oust a judge, for example. But I don't think it is realistically possible, and there are some notable exceptions I suppose - not realistically possible county-wide.

MR. SONG: You may have a point there. In one or more previous hearings though there was some interesting evidence which was presented to us by Judge Sprankle and that is that apparently the majority of civil cases, including tort cases, and collection matters filed by central agencies, simply because it happens to be located within the confines of that particular judicial district are by non-residents of the particular judicial district in question. And, likewise, the overwhelming majority of traffic citations are generally issued to non-residents. So the question of responsiveness or identification with the local judge doesn't seem to be a factor in those situations.

Well, apropos of this particular finding, assuming we can't generalize accordingly, you made a comment that law enforcement officers might be identified with the local courts and get to be known personally and have the judges responsive, so to speak. I am sure that your position would be that litigants or citees should be entitled to the same type of identification as law enforcement officers. Wouldn't you agree?

MR. WIGGINS: Assemblyman Song, what I believe is that there should be impartiality - that no one is entitled to special consideration from a judge. And I say that even though privately sometimes I hope the judge is giving my client some special consideration. But we are talking about the way things should be now and no judge should give any person special consideration, and yet this is what many people who advocate this really want.

This has not been suggested by the City of El Monte and I am speaking hypothetically but let's suppose we have a problem within the City of El Monte. Let's suppose we have a dance hall that is particularly notorious. We, perhaps, would like to have a judge who knows that problem who is going to crack down, you understand, on that problem. I suspect that there are judges in this room and I know some judges not so very far away who are subjected to pressure with respect to particular problems. Shoplifting is a problem, major merchants make their intention that there be a special drive on shoplifters known, and judges are subjected to that pressure and they are human beings and they have to respond to it.

MR. SONG: This pressure could be bad, couldn't it?

MR. WIGGINS: Sir?

MR. SONG: This pressure at the same time could be undesirable.

MR. WIGGINS: Oh yes, I agree, it could be undesirable. In fact, it is undesirable if it tends to color in any way the result of the judge.

MR. SONG: One final question, Mr. Wiggins, aside from this basic argument that you have made, and I do agree to a certain extent, that in a larger jurisdiction it may be more difficult to remove a judge who, in the opinion of many, should be removed. Aside from that consideration, and in the interest of economy and efficiency, would your city council agree that the one-court plan would be desirable?

MR. WIGGINS: No, it would disagree, because there are other problems. Now, it could be that these problems could be solved but there are problems of venue that make a difference, as you know, to prevent filing let's say in Los Angeles or at Santa Monica or some place else. It can be very vexing when it's proper place is local, and it happens, unfortunately, with the relatively small claims, a client comes in holding a summons of complaint in his hand, which invariably is mimeographed, filed on behalf of a collector and it will be filed, let's say, in Los Angeles. Now, it could conceivably be filed in Santa Monica if the privilege were accorded it by having one municipal court and the amount involved may only be a couple of hundred dollars. It may be over the small claims limit but realistically it becomes a problem of whether he can afford to hire an attorney to go out and make a motion to change the venue in that case to it's proper place. Now, this is a real problem and if under a one-court plan it would be proper to file anywhere within that court a great injustice would be done to many litigants.

CHAIRMAN WILLSON: Thank you, Assemblyman Z'berg.

MR. Z'BERG: I'd just like to get at this home rule business a little bit. It's quite clear in my own mind an approach. I'm not from Los Angeles so I don't, personally, know the problems here and it's rather difficult for me to listen to both sides and then make some decision as to what I think is best for Los Angeles County. I don't practice here, I don't know what the problems here are.

Now would you agree that the people who don't like the bill and opposed the one the Chairman had, which I understand is the bill that the supervisors proposed if I am not incorrect there, and say they want home rule are really, in effect, not asking for home rule because they want the Legislature, that's me who doesn't know anything about the problem here at all, to have a hand in deciding what happens on a local level. So I find myself somewhat in a quandry as to how I would apply this philosophy of home rule. What do you think of this?

MR. WIGGINS: Well, Assemblyman Z'berg, the decisions rests with your body and with the Legislature. Perhaps, under an amendment, it may rest with the people but initially the decision is with our representatives in Sacramento. Now it may have been proposed by the board of supervisors and many people say without adequate consultation of the local communities but the fact that it is proposed locally doesn't mean that the decision is there. We do not, on a home rule basis, have the power of decision in this case. You do.

MR. Z'BERG: Yes, well didn't we a long time ago decide that we in the Legislature don't know the problems and, therefore, we gave to the counties the right to set up the districts with us, in effect, having the right to give it approval but not to formulate the drive for the change of districts.

We, for example, in Sacramento County just consolidated our courts and the problem there was what the supervisors wanted to do and the problem was worked out locally. There was a problem and the cities got together and the lawyers and the rest all got together and ironed out the problem with the board of supervisors and then the matter was submitted to the Legislature and I dare say that not more than three or four Legislators, only those in Sacramento County, were aware of what was even going on. The rest of them just automatically voted for the bill as the bill was presented.

So, do you think that we in the State Legislature should be deciding these matters of "local home rule" or should we say that this is a problem of home rule and let it be ironed out and worked out with the local people?

MR.WIGGINS: Well, to answer your question, I believe that the decision is with the Legislature of the State of California. You are going to make a decision. Maybe your decision will be to do nothing, but the "monkey is on your back", the buck is stopping there. You are going to make a decision and it is going to be right in your judgment and right with the people or wrong with the people and you suffer the consequences. That's the way the ball bounces in this scheme of things of ours but I think the responsibility is yours. The responsibility is mine, however, to try to influence you in some constructive way and that's what I am trying to do.

MR. Z'BERG: Well, what if our decision would be, well we'll do what the board of supervisors wants done. This, of course, isn't going to cause me any consequences because nobody down here in Los Angeles is going to cast a ballot for me one way or the other.

MR. WIGGINS: Well I am speaking of you collectively, meaning the Legislature.

MR. Z'BERG: Right. So if what the supervisors do is wrong then isn't your recourse to get rid of your supervisors? Isn't this the theory of having somebody locally responsive to the people make the decision rather than us who are not responsive to the problem down here at all.

MR. WIGGINS: I think that's the theory that the decision making should be on the lowest possible level consistent with the area affected by the decision. If the responsibility was given to the board of supervisors here I think it is incumbent upon them to hold hearings of the type that you are holding now so that all the divergent views can be aired.

It's my understanding that the bill proposed by the supervisors, and I could be wrong on this, was set up on relatively short notice and certainly it had no prior consideration in my city council and I suspect that it had not in other city councils and we had sent no representative to the board of supervisors to give our views. But, assuming the millenium, assuming that the board of supervisors would hold appropriate hearings it seems to me that it would probably be better if it is only going to affect Los Angeles County that the decision be with the board of supervisors rather than with others farther away.

CHAIRMAN WILLSON: Councilman Wiggins, let me include this if I may. The supervisors of Los Angeles County, under the present law, have the right to redistrict now and if they do then the State, of course, has to come in and change the law in order to staff and set up the staffing and the compensation rates, etc. for the new district, so it's a combined responsibility and I think that answers the policy question.

Assemblyman Stevens.

MR. STEVENS: Yes, Mr. Wiggins, I am very interested in this problem of having a judge perhaps have to meet a campaign opponent when they are running for reelection. I'd rather not have to run for reelection myself but I'll have to concede that it's a very healthy process. At the present time in your, say your judicial district here, is it a very practical possibility that some attorney in the area who might wish to contest one of the judges at the next election would be able, as a practical matter, to do that? Would he be able to raise campaign funds sufficient to campaign in the area, the voters who would vote on that particular election - is this - at the present time a very real practical possibility?

MR. WIGGINS: Is it possible? I say, yes it is possible.

MR. STEVENS: Now projecting over to the nine-court plan if you have the election of each judge from this much larger district, you've got the problem say of an El Monte attorney who might want to run for one of the offices. He is not known outside of the area where he has been practicing. He's got to go through all the communications, public, the campaign expense and so on for an office where the public isn't always concerned about the competency and qualifications of a judge. What is your reaction to the effect of the nine-court plan on the real practicalities of anybody ever being able really to go out and raise enough campaign funds, and as a practical matter, really run for that office?

MR. WIGGINS: It obviously would be more difficult, But, is it possible? I would say yes, under a proper set of circumstances and the set of circumstances involved is that there would have to be almost unanimous, but at least a clear majority thinking among the attorneys that a particular judge should be defeated or it would have to be a candidate-and this could be done-to run who would have the support of the attorneys. This is their profession and they should be willing to work and to spend money to elect him.

Would it happen? Well, anybody is reluctant to spend money and donate to campaigns but this affects an attorney's livelihood and I believe that it could happen but it would almost require, I don't say it is necessary, that there be probably one and not more than two bar associations serving the area because it's going to take a concerted action. Now, I have nobody in mind, obviously, but you asked: Could it be done? And I think that it can be done.

MR. STEVENS: Would it be much less likely with the nine-court plan as opposed to the present situation?

MR. WIGGINS: Yes.

MR. STEVENS: It seems to me-as a practical problem-it would be much less likely to ever happen.

MR. WIGGINS: Yes, I agree that it would. But the problems, let's say, of an attorney running to unseat an incumbent judge are no greater than the incumbent judge as far as finances are concerned. I don't have any idea what judges spend on campaigns, if anything really, but in a contested race for a judgeship with an attorney that had the backing of the bar association I suspect that his finances would at least be equal to that of the judge. His real problem is he can't write, Judge of the Municipal Court, under his name. That's the real problem. If he could solve that then it would be an open race.

CHAIRMAN WILLSON: Thank you, Councilman Wiggins. We have certainly appreciated your thinking.

MR. WIGGINS: Thank you very much for giving me so much of your time, and I am very grateful for the opportunity to appear before you.

CHAIRMAN WILLSON: At this time we would like to ask the Honorable Leonard Horwin, Councilman and Mayor pro Tem of Beverly Hills if he would like to commence his presentation.

MR. HORWIN: Mr. Chairman, since the meeting which was held on the 30th, I think it was, of October, at Beverly Hills at the instance of Chief Administrative Officer John Leach for Los Angeles County, but with some sub rosa help if I may say from the personnel of this Assembly Committee, I don't say the word "sub rosa" in any evil sense but rather I meant help, Bernard Nebenzahl and Joe Fox. We had a series of meetings in Judge Sprankle's Chambers in Pasadena. By we, I am referring to Judge Sprankle who is the Judge of the Pasadena Judicial District, who is here today, and Chairman of the Municipal Court Judges' Association, I attended as Mayor pro Tem of Beverly Hills and also as Chairman of the League of California Cities Committee on Court Consolidation, Jay Michaels, our executive officer attended, so did George Wakefield who is here, who is Chief Assistant County Counsel, Fred Sharp who is here also, Administrative Officer for Pomona, attended, and of course Bernard Nebenzahl did and Gene Didak who is here representing - as attorney for the Judicial Council of California, and so did Cliff Swanson who was here earlier with Judge Baida. Cliff came in his capacity as Clerk of the Santa Monica Municipal Court.

I might say, Mr. Chairman, that I have sat in a lot of negotiations as all lawyers have and I've done a lot of careful analysis of problems but I dare say that I've been in no more steadied a consideration of problems than the one we held first on November 21 from about 1:30 in the afternoon to 6:00 P.M. in the evening. Maybe it was a little after six P.M. And then we thought we had made such progress that we got together again on the 29th in Judge Sprankle's Chambers and this time we sat again from 1:30 to 6:00 o'clock, well no, it was about 5:15 I guess, and we went at it as carefully as possible. As a matter of fact we all had headaches at the end of it because of the complexity of the subject matter.

Now I prepared, after the first meeting, a summary of what we did and I'll tell you why I prepared it in written form, Mr. Chairman, because we tried to get away from generalities and cliches and get down to specifics the way this Committee is talking and the way it was questioning at several hearings. And when we got down to specifics we tried to refine our points down as sharply as possible. Finally, I decided that I had better put in writing the extent of consensus. I came back on the 29th with that writing and it was chopped up somewhat more on the 29th as a result of extended consideration at that time. I have in front of me a summary of those two meetings. Mr. Nebenzahl has suggested, and I will go along with that, that since it isn't long and since you may wish to ask questions on particular words or paragraphs, I will read it because the language is more or less - constitutes words of art in the legal sense and they are all intended to have a meaning.

And here is what we said: At the instance of John R. Leach, I have already introduced who were the people present, we said it was clearly understood that all remarks and conclusions at this session were entirely tentative and eventually subject to approval by the organizations and entities represented. Now, as I have indicated, we had a representation from the State, the County and the Cities.

The various proposals for municipal court consolidation, including AB-2659, which is the Chairman's proposal - really not his but that of the board of supervisors, AB-3085 which is Assemblyman Flournoy's of Sacramento, the proposal of Judge Sprankle and other proposals as well as the objections to proposals were considered. The persons present sought to determine the areas of agreement and disagreement among them. The tentative consensus appeared to be that:

1. It is desirable to maintain the existing locations of municipal and justice courts; however, such locations and the numbers and boundaries of municipal court districts should be subject to change as provided in paragraph 3.

I jump now deliberately down to paragraph 3 and I'll come back to paragraph 2 later. In paragraph 3 we said, that it is also desirable from time to time as the circumstances of population, case load and other relevant factors may change, to achieve flexibility in the boundaries of existing municipal court districts and in the location of court facilities to be built there, by permitting a majority of the municipal court judges for the county, including a majority of the municipal court judges in the particular area affected to redefine the boundaries of an existing designated municipal court district and to designate the locations of new court facilities there, provided that there is consent of the city government that each of the cities having areas within the boundaries as existing and as redefined; however, if there is consent of at least two thirds of cities so affected, but failure of unanimous consent, the decision of the board of supervisors of the county shall bind.

Now going back to paragraph 2. However, it is also desirable in addition that is to retaining districts and courts as indicated in one to achieve (a) county-wide uniformity insofar as consistent with law (and here I have in mind Judge Baida's feeling that in the case of certain uniform practices they were not consistent with law and on the other hand Judge Sprankle's indication at our meetings and the opinion of the majority of the judges affected they were consistent with law) so we simply said insofar as consistent with law, municipal and justice courts in those practices wherein the public and the bar have a right to expect uniformity; possible examples are mutual traffic indexing system, court rules (including, for example, with regard to use of reporters,) personnel rules (including, for example, vacation rights, sick leave benefits, overtime, rest periods, etc.,) traffic citations, bail schedules (beyond the first offense on which there is now uniformity), jury selection, jury instructions, index and record keeping system on misdemeanors, (making prior convictions immediately available to any judge upon arraignment); and (b), it is also desirable to achieve area-wide transferability (1) of contested cases estimated to require long trial time, (2) of judges for limited periods to shift the surplus of judicial time in one district to a district in the same area having a deficit of judicial time.

Now I'll jump to paragraph 4 because I have covered 3. It appears to be practicable to achieve the benefits stated in paragraph 2 - that is the uniformity of practices and the area-wide transferability of cases and judges, - while retaining the benefits stated in paragraph 1 - that is the existing districts and the courts there - in the following manner:

a.) With regard to a county-wide uniformity of certain practices as stated in sub-division (a) of paragraph 2 consideration should be given to amending the existing applicable law, -

1. To permit obligatory effect upon all municipal court and justice court judges within the county, of such practices when adopted by a majority of the municipal and justice court judges of the county,
2. To permit implementation of such uniformity by means of a presiding judge elected by a majority of the municipal and justice court judges and such staff assisting such presiding judge as may be deemed requisite for this purpose by the aforesaid majority of judges.

b.) With regard to area-wide transferability of certain contested cases and of judges for limited periods,

1. such areas in general should be coextensive with the areas of the branches of the superior court of the county - Now, this is a flexible point - this is a tentative way

point, it may not be exactly right to adopt that means but that's the way we phrased it at this time.

2. Within each area, a majority of the municipal and justice court judges included, might elect an area presiding judge and arrange (with the cooperation, if necessary, of the county presiding judge) for such staff as may be necessary to enable such area presiding judge to

aa. reassign where necessary, contested cases involving extended contests from the municipal or justice court where filed to the court of trial, where necessary to effectuate reasonably prompt trial and to permit reasonably even and full use of judicial manpower in the area; but such reassignment should not be made where the case can be tried in the ordinary course of judicial business in the court where filed, having in mind the desirability wherever consistent with reasonably even and full use of judicial manpower in the area, that cases should be tried where filed;

bb. to assign to other courts within the same area, and for limited periods, where the judge being temporarily assigned is in a court of surplus judicial manpower and being assigned to a court of deficit judicial manpower;

3. Our third point still under this matter of transferability - in defining "certain contested cases" as mentioned, the committee members have in mind cases requiring trial of more than one day's duration; (and that was a flexible point - we seized upon this temporarily) experience indicates that such cases frequently play havoc with the calendars of a single court or district with one or two judges but can more efficiently be handled, by averaging out prospective

judicial time in an area-wide pool of judges,

4. such transfers where they occur, should be well in advance of actual trial date so as to permit full time for subpoena, and for advance planning by parties, counsel and witnesses,

5. while certain members of the committee stated an opinion that one of the courts in the area should be the permanent locale of the presiding judge (and we heard Councilman Wiggins advance that opinion a moment ago) for that area and his staff, with provision there for the juries available for transferred cases, there was contrariety of facts and opinion on this point. (we haven't settled)

Our fifth point: At a further meeting of the same persons (Mr. Wakefield couldn't be there) and this occurred at the same place on November 29, it was agreed that

a. the foregoing paragraphs are a fair summary of the extent of consensus, (by paragraphs I mean 1 through 4)

b. several of the persons present suggested that the objectives stated in paragraphs 2 through 4 could be achieved by action of the board of supervisors under existing law. This action would be to emulate the superior court by establishing one municipal court district for the County of Los Angeles and designating the present multiple districts as branches within the one district.

Representatives of the cities stated objections to the suggested action in that

1. it would destroy local electoral control of municipal court judges, and substitute a county-wide election where

the possibility of effective challenge would be virtually nil, and

2. a county-wide district even though divided into so many branches as the present districts, would be likely to mean county-wide control of judges and cases; it is felt that such centralization is unnecessary, promotes inefficiency, reduces the quality of justice, and frustrates local responsibility for the control of local courts. (Now, as I say, there was complete disagreement on this - not an angry disagreement, we simply were analyzing facts and we didn't get through evaluating all the points nor did we even get to stating all of them.)

No consensus was reached on the context of this paragraph five. It was agreed that after Leonard Horwin, as Chairman of the Committee on Municipal Court Consolidation of the Los Angeles County Division of the League of California Cities, reports back to his committee and then to the Board of Directors of the League, a further meeting will be held at the chambers of Judge Sprankle on December 16, 1963 at 1:30 P.M., that the persons thus far present and such additional persons, if any, as may be appropriate.

That's as far as we got to this point.

CHAIRMAN WILLSON: Thank you very much. That is a very fine summary. Are there any questions by the Committee members?

We asked Councilman Horwin to make his presentation at this time because, I believe, you would be unavailable this afternoon.

MR. HORWIN: That's correct.

CHAIRMAN WILLSON: We certainly appreciate the work that you are doing and urge you to continue your good work. Is there anyone else in the audience now who cannot come back? We are going to have to put this meeting over until 2:00 o'clock.

MR. GORLICK: Mr. Chairman, and members of the Committee, I am here representing the City of Burbank and I also express the sentiments of the Burbank Bar Association.

During your session in October, the Mayor of the City of Burbank was unable to remain in order to testify and he filed a written statement in which he said - and if I have your permission - I would like to quote it:

"I have been authorized and directed by the City Council of the City of Burbank to inform your honorable Committee that the City of Burbank is opposed to consolidation of the Burbank Municipal Judicial District with any other district.

Since 1959, the Los Angeles County Board of Supervisors has attempted to bring about consolidation of the Municipal Courts of Los Angeles County. At least two of the five Supervisors have at all times opposed each such attempt. The record shows that the local communities that would be affected by consolidation are strongly opposed to it in any form whatsoever.

While consolidation may have the immediate effect of making more efficient use of judicial manpower in a few of the proposed districts, such advantage would not accrue to all of the proposed districts. In Burbank, there would be very little saving. The two judges in the Burbank Municipal Court have a case load that keeps them occupied full time. Not only would consolidation cause greater inconvenience and expense to the public, but it would, I believe, increase the overall cost of administering justice in the Municipal Courts.

Municipal Courts are "grass roots" courts and should remain as such. Consolidation in any form would simply weaken this fundamental concept."

I'd like to expand on the Mayor's remarks by noting that the City of Burbank, like all cities involved in this problem, is responsible for enforcing the law within the city territorial limits. And discharging this responsibility the city maintains a new police building which was recently completed and a city jail which at the present time is located immediately across the street from the courthouse, and it is connected to it by an underground passage which was specially built for this purpose by the city. If the Burbank Municipal

Court is consolidated with any other municipal court, thereby resulting in the arraignment and trial of cases elsewhere than in Burbank. Burbank would be required to transport it's prisoners and police officers to another city at substantial cost to the City of Burbank, and make the present facility useless. When these costs, plus increased prosecution costs are considered, any saving in operating the courts that would accrue from consolidation with respect to Burbank, would be wholly offset by the increased cost to the taxpayers of Burbank.

It is inconceivable that serious consideration would be given to consolidating any municipal court, wherever it happens to be located, that is operating efficiently. We believe that the Burbank Municipal Court, as well as the Glendale Municipal Court are such courts.

I would like to comment on the nine-court proposal which I think the City of Burbank and the Burbank Bar Association could support. If we could be convinced that this nine-court proposal, which I understand requires that the present judges - two in Burbank and two in Glendale - be elected by the people in their respective communities, and that the two courts continue to operate at their present locations, that we could support this proposal if we saw any advantage to having it put into operation. But we feel that the present courts, both Burbank and Glendale, are being efficiently operated, that any consolidation of these two courts into one district, under the proposed nine-court plan, would not really accomplish any useful purpose. And it is for that reason, and that reason alone, that we oppose that proposal. If we could be convinced that there would be some advantage to be gained I think that both the Council of the City of Burbank and the Burbank Bar Association could support it.

CHAIRMAN WILLSON: Mr. Gorlick, if we remove the question of election from the home rule concept, are there any other specifics that would urge your city or you to - with respect to home rule - to want to oppose a change?

MR. GORLICK: You mean from the standpoint of home rule?

CHAIRMAN WILLSON: Yes.

MR. GORLICK: What we see in the home rule concept?

CHAIRMAN WILLSON: Yes.

MR. GORLICK: Well, I think a good deal has been said about it and I think we can support most of the statements that have been made about what we understand home rule to be. But I would like to add one, one concept that I haven't heard mentioned this morning, although it may have been mentioned at prior hearings, and that is the fact that based upon our experience in prosecuting traffic violations and other misdemeanors involving local knowledge, for example, knowledge of street intersections. The advantage of having a judge on the bench who understands the intersection, I think, is an advantage that we must not overlook, because we have had judges coming into the Burbank Municipal Court by assignment during vacation period of one of our present judges without any local knowledge whatsoever and in prosecuting our cases involving local knowledge of the street intersections, for example, we have found that the judge is at an extreme disadvantage and very often the case goes off on a tangent that it would not have gone off on because the judge not being familiar with the intersection was unable to comprehend the problem.

CHAIRMAN WILLSON: Of course the judge could avail himself very readily of that information if there was a doubt in his mind about understanding it by just visiting the intersection.

MR. GORLICK: He could but he doesn't, as a matter of practice.

CHAIRMAN WILLSON: Are there any other specifics with respect to home rule that you would like to urge the Committee to consider.

Now, we have this one - geography. You mention the local judge has a better understanding. And we have the election aspect of it. Are there any other specifics wherein you think that the local people prefer to have a local judge for such and such reasons?

MR. GORLICK: Yes, I believe from the standpoint of convenience to the public and to the attorneys and witnesses. Now I know that it has been stated and cited as a statistic that in these various municipal courts 65% of the litigants, witnesses and attorneys come from outside the particular city. But to me that's not an answer to the home rule aspect and it's convenience to the public witnesses, attorneys and litigants because insofar as the 35%, if that statistic is true, is concerned, I think for their convenience it is important to have a local court.

CHAIRMAN WILLSON: Assemblyman Song.

MR. SONG: I may have missed this in your presentation, but, is your bar association and likewise your city council opposed to the proposed creation of the north-central district under the proposed nine-court plan?

MR. GORLICK: Yes, only because as we are unable to see any advantage in creating this district when the courts operating separately as they are now but fulfill the same function. Now I gathered this morning that this Committee might be interested in providing for utilization of the judges in each of the two cities in the trial of cases when there is an overload in one area or the other. If that could be accomplished by any other means I think that would be satisfactory. If it can't, if that is the real purpose of consolidating Burbank and Glendale and it can't be accomplished by any other means I think that probably we could go along.

MR. SONG: It's your position or your conclusion then, if I get you correctly Mr. Gorlick, that the consolidation of the Burbank and Glendale courts would result in less efficiency than you are presently deriving from both courts operating separately today. Is that your conclusion?

MR. GORLICK: No, I am not concluding that there would be less efficiency. I am saying that there would be no increase in efficiency.

MR. SONG: How can we so conclude without first trying it?

MR. GORLICK: Well, it's simply a judgment. We can't actually. We don't believe that there is any advantage to be gained. We have talked to our municipal court clerk and he feels that there is no advantage to be gained by consolidating these two courts.

MR. SONG: All right. One final question, and of course you need not answer this if you feel your answer might embarrass you. In your opinion, is the existing north-central branch of the superior court operating less efficiently than the Burbank and Glendale Municipal Courts separately?

MR. GORLICK: My answer to that would have to be based upon my limited experience. Unfortunately, we don't get into the superior court, Our contract is mostly with the municipal court in our particular practice. But I would say from what I have heard and from what I have observed that it is operating as efficiently as it operated before the consolidation of the present district.

MR. SONG: Then if we can use that as a sort of a, perhaps an objective, we need not necessarily conclude then that consolidating the municipal courts along the same lines would create less efficiency. We can make that assumption just as well.

MR. GORLICK: Yes, yes we can make that assumption but I think we are dealing with an entirely different type of practice. We are dealing with misdemeanor prosecutions and we are dealing with small claims and we are dealing with an entirely different type of litigation. Thank you.

CHAIRMAN WILLSON: Thank you, City Attorney Samuel Gorlick. We appreciate your coming.

Before I ask Assemblyman Johnson to express an invitation, I want to say we are particularly pleased in the Committee to have the Legislative Advocate of the great County of Los Angeles, a man who does a terrific job up in our State Capitol, bringing facts and figures to our attention, here with us today and that is George Wakefield. George, I have mentioned you before but I wanted to say what a good job you have been doing and put it on the record. We are happy to have you here.

I don't think I have had the pleasure of introducing Eugene Didak of our Judicial Council. Will you stand up? And, Gene, is one of the staff of the Judicial Council of the State of California which, of course, is the administrative body ruled over by the Chief Justice and we are certainly glad to have you here Gene to carry back the word to our Chief Justice and the members of the Judicial Council.

Assemblyman Harvey Johnson.

MR. JOHNSON: Chairman Willson and members, on behalf of the El Monte Chamber of Commerce, I extend you an invitation to lunch at the Santa Fe Inn, hosted by the Chamber of Commerce. We have cars available to take all members of the staff if they care to. We hope that you will all join us.

CHAIRMAN WILLSON: We will reconvene at two o'clock.

AFTERNOON SESSION - DECEMBER 3, 1963

COURT CONSOLIDATION - EL MONTE

CHAIRMAN WILLSON: I will call the meeting to order and continue our hearing - the Interim Committee of the Judiciary - and there has been a request that Mr. James A. Nicklin, City Attorney of El Monte be heard first. And he is next in order. We would like to have Mr. Nicklin come forward, please.

MR. NICKLIN: Thank you, Mr. Chairman, and members of the Committee. For the record my name is James A. Nicklin, residing at 970 Darby Road, San Marino, occupation, attorney-at-law. Presently, and for fifteen years I was City Attorney for El Monte and for fourteen years City Attorney, and still am, of Arcadia. I am not sure that the views of the two cities even coincide so I likewise have two hats.

I will say at the outset that my practice in the municipal court is extremely limited due to the fact that there is very little private practice in Valley Falls limited to Los Angeles clientele, but it seems that when the city sues it is for amounts within the jurisdiction of the small claims court and when they are sued it has been in amounts that would exceed the jurisdiction of the municipal court, usually writs and that type of thing that I get into in the civil field. In the criminal field it is limited to the kind of criminal cases involving the violation of local ordinances only. Neither city has a city prosecutor and they rely on the district attorney's office to prosecute the violations of state rules even though they are misdemeanors.

I would like to start my presentation by paying a compliment both to the system of the committee form of operation of our state government and to the members that comprise these various committees.

It has been both my privilege and my pleasure to appear before various committees over a period of years and in each instance I am amazed and impressed by their desire for knowledge. They soak it up like a sponge and make good use of it. And one thing they never fail to do is to obtain all possible information and to the best of their ability put that information to use, but it is for that reason alone that I am presuming to appear before you as an individual today, rather than as a representative of either of the cities that I represent. Mr. Wiggins has already been selected and did present the official position of the City of El Monte, and being my boss I couldn't disagree with him even if I wanted to. The City of Arcadia, on the other hand, by official minute action, declined thus far to take any official position in the matter of any court reorganization upon the theory that it is not primarily a matter of municipal concern, but rather a matter that the bench and the bar should investigate, make their recommendations based upon their experience, rather than for a group of men who have no experience in the field to rely on hearsay statements and then merely reiterate them to a body of your kind.

Having been associated, however, with city government for more than 25 years in one form or another, and closely identified with it for the greater part of my time during the past fifteen years I have developed some deep appreciation of both city and county government. I think we have the best in the nation right here in California and a particular respect for both the term and the principle is involved in what is referred to as home rule. And that is the point to which I wish to address my remarks principally because of some of the questions asked this morning. It is primarily to clarify this point that I want to make the observations that I have.

Home rule is, to some extent, properly involved in any court system or any proposed reorganization of an existing system but it is only the proper relationship of the city to the court system that I wish to point out to you. And I would like to discuss first what home rule does not imply and what may not properly be derived from the application of home rule to the court system. We have for so long a time been distracted by the arguments concerning the separation of Church and State. We may have lost sight, temporarily, of the distinction and separation of the legislative, executive and judicial branches of government, which are inherent both in our local, state and national governmental setup. Now, certainly no one contends when they are using the words "home rule" with respect to the court system that the legislative body is going to expect to control the court to the extent that the court must necessarily find that the legislative enactment is a proper legal enactment and that it was properly applied and, therefore, the defendant is guilty and you should fine him so much. That is not the proper application of home rule at all.

Home rule must not be confused either with home pride. And that goes more as to the location and designation of a given court facility. We are extremely happy here that we have the El Monte Municipal Court as part of our civic center setup. As a matter of convenience, it is second to none. It would be interesting to some of you I know, however, to be informed that there was a time when more than one member of the city council was going to request the board of supervisors to change the name of it to something other than the El Monte Municipal Court. It's the nature of things that all the criminal cases that start or end up there bear a date line El Monte. Frankly, we are not very proud of some of the things that were attributed to us that happened outside of our immediate environs but bore the El Monte date line. So, it is not always something to be proud of.

Arcadia has the Santa Anita Judicial Court. We have the name Santa Anita, the street, Santa Anita Race Track; Monrovia has the location. We wanted the court, obviously, but we are the first to admit that it is geographically properly located in the central part of the district and we have been happy to swallow the pride of name and settle for the second best name, Santa Anita. But home rule does not necessarily mean that you have to have all the things located just where you would like them, just because there has to be a greater reason than that. If home rule has any place in the judicial system it is in the administration of justice, in accordance with the true needs of the area. Now I mean this in a proper sense. I don't mean partisanship, favoritism, unfairness to anybody whether they be inside or outside of the particular district, this means merely a knowledge of and an honest evaluation of the seriousness of a given problem-and I'm referring to the criminal field now-and in dealing with it fairly and effectively-and I want to emphasize the word effectively. Let's take, for example, one problem that I am particularly familiar with, one of the facets is it has a race track in the town. Now I doubt that sale of a single tip sheet in a city as far away as Santa Monica would arouse very many people. I don't even know that it's a misdemeanor to do so without complying with certain things but believe me it becomes a real problem in a town that has a race track: traffic-wise, fraudulent practices, bulldogging, petty thievery, you name it, you can trace a lot of it to the practice of the unbridled dealing in tip sheets.

Now, a judge from the immediate area, he knows the problem. That doesn't mean he is going to find the man guilty - it doesn't mean he is going to necessarily find your regulation to be proper but he is going to know, however, there is a need for regulation and he is going to know that if he lets down in consistent application of dealing with the problem, that the problem will soon overcome law enforcement and be absolutely totally unmanageable. Now that same type of information and appreciation can be brought to a judge from a distant area but it takes time to do it and I'm not sure that in every instance it can be done.

I am not arguing that this is good or bad. I'm not going to argue that anything I say today is good or bad, but I think you gentlemen should know that there are two sides to the coin, in practically each instance that is brought up before you. I think the big problem is the granting of the appropriate relative weight from each of the facts which you can't deny are facts by merely disregarding them. And let's admit there are facts in existence and then attempt to decide what value should be placed upon these facts.

One of the morning speakers, I believe the one from Burbank, mentioned the judge's familiarity with an intersection could be a big help. I am sure that a lot of people drew the inference from that that he meant a big help to prosecution only. I know of personal instances where it was a big help to the defense also, but the judge knew that "gee, this corner is a stinker why don't you people go out and post it properly and this person wouldn't have been here in the first place?" So I mean all of these things can work to the advantage of either side, depending on which one is in a position to take advantage of it. It's not good or bad per se. It is how these things are applied and the relative weight to be applied to these various facts that becomes important.

The question about the benefits of a purely local judge and whether or not he can be retained in office more easily if he is from a smaller area or from a larger area: the benefits, the advantages are debatable. The facts aren't. Anybody, as even a novice in the field of politics knows, that it is much easier for a judge from a small electoral area to be unseated by a good talker, an active participant in local affairs, a man with many contacts, and is the case particularly with judges when they are elected from a much wider area. A person has to develop a pretty bad reputation area-wide to offset the advantages of that word incumbent. So let's don't deny the facts but let's apply the proper weight to that fact in determining whether we should have county-wide or district wide or purely local elections as to the judges. I have no preferences either way. I haven't yet decided to run and I don't know when I will but I mean those are the facts now what are the deductions to be drawn from them? I might add that it isn't proper to assume that local government always wants the incumbents to remain in office either. Some of the judges that were here this morning - and perhaps still are, and I won't look so I won't be embarrassed by stating - might readily agree with me that not everybody else in local government agrees with their having been selected as a judge. That's the human element, but I mean it isn't a one way street.

Now there are advantages in having more than one or more or two or three or five judges available for a given area to try cases. I am sure that some of you are familiar with the unfortunate situation that was going on for some time down in Oceanside where one attorney automatically challenged a given judge - just as a matter of course. Now fortunately they had two judges there. What would have happened if they had only had one? What would happen if somebody got that idea in some of our one-man courts here? And the problem is only lessened but not removed by having two. If you have multiple choice and that sort of thing the problem is reduced and then the attorney can legitimately and properly challenge for interest and maybe the judge himself would want to disqualify himself. If you have other judges available, that is an advantage. Good or bad, that's my point. It is an advantage. What value should be placed upon it? By the same token, a single judge court is more severely affected by the last minute settlement or postponement of cases, pleas of guilty, etc. I mean there is no question about the facts but it is the inferences or deductions to be made therefrom. Are the advantages of that system such as to totally or greatly outweigh the advantages of breaking this system up into something else?

I know that none of you gentlemen are going to be misled by the cliche' that bigness begets efficiency, I know all of you have had enough experience in public fields to know that that is not necessarily true. If changes are to be made, and there are some changes that are indicated by all as being desirable, then the big question is: How much change is necessary in order to get the most advantages before the law of diminishing returns set in. This, then, is the big problem.

There are, also, advantages of the small district, the smaller court system. They may not always be good - they may not always be bad - but there are certain advantages and I don't care whether you are plaintiff, defendant, prosecutor or a defender, the advantages are there. And there are advantages to the court itself. I am referring to the personal things that no set of uniform regulations are ever going to change. You have a single judge or a couple of judges that you are before or know that you are going to be before. You either already know or you promptly can ascertain the extent of preparation that is reasonably necessary to try a case in that particular court. Now, it is all right to say you ought to be prepared to meet any contingencies whatsoever. In this day and age you just don't have time to brief and read and make notes on everything - so you have to gamble just a little bit. Now, if for a fact you know that the judge accepts certain principles without the citation of lengthy authorities on it, then you don't have to waste - and I say waste - time preparing authorities on that which you know he is going to accept. And that doesn't play favorites to plaintiff or defendant, I mean, the defense may know whether he will accept this as a proposition without me citing authority and so you don't have to bring another suitcase full of books prepared to argue that which you know he already concedes.

Another thing that is so often accused as being improper is the familiarity in the proper sense of the word, of personnel dealing with the court personnel themselves. And there is nothing wrong in that, although sometimes it is abused. But any smaller setup, those dealing with the court get to know the whims, the idiosyncrasies, call it what you will, of the court personnel, of the judge himself for that matter. And this is no disrespect whatsoever to the bench. But some judges like to go so far in a case before they are interrupted even for a 'phone call. Or to be told that so and so has now arrived and you can accept his plea or you can dispose of his case, and so on. Other judges might want to have you break in-any old time is all right. People, and this goes both as to court personnel and people availing themselves of the court system, soon get to know when is the best time to do this and when is the best time not to. All of these things are to the benefit of all concerned. You can't say that they are bad, necessarily, although there is always a chance of abuse. These again are some of the advantages that flow from the smaller units of court systems. I'm not saying that they should be preserved, I'm only pointing them out to you because there has been a tendency to kind of pussy-foot on some of the things which I think are obvious and I think the time is here to face those things which are facts, not to stick our head in the sand but to place the proper value on those and then see how we can improve the system that we have. Obviously there are improvements than can be made. It is going to take a Solomon to come up with some of the answers. I would say that regardless of what changes may be made, certain things should be self-evident and provisions should be made therefor. There must be some sort of a central index so that the uninitiated may find out where cases are filed, and so forth.

I would certainly most strongly urge that there be a stationary location of the presiding court, not necessarily of the person holding that position. That, I think, should rotate but certainly there should be a stationary location for the presiding court. True, the attorneys and the judges, they can figure out calendars and they know when it's going to change and all, but more people are concerned than just the attorneys and the judges. And we here at City Hall are continually deluged with calls from John Q. Public. They don't even know who they want, much less where they are. If they ask us questions like where is judge so and so, or where is the presiding judge, or where do I go to file this or where do I go to make a plea or something, and we say, well, I don't know, last year it was some place but I'll have to look it up. They expect us to know these things and you just can't keep abreast of them because this is only one of the little things that we are expected to know. We are expected to know an awful lot of things and even to a greater degree than the county government. The average rank and file employee is expected to know an awful lot more than he has any reason to know and to further complicate his job, it just makes it impossible.

And, lastly, if there be changes, then the presiding office, the presiding judge, master calendar - call it what you will - should be geographically centrally located. Now, there are those that will argue that other factors weigh heavily in that regard, but I think when you are talking of the mass of people that at one time or another have occasion to use the court system, that the requirement that the presiding office be centrally located geographically should outweigh any other factors. If there be one or two locations that are practically equal in that regard, then I would state the availability of public roads and public transportation should weigh heavily in that decision.

Thank you, gentlemen, for your time.

CHAIRMAN WILLSON: Thank you, Mr. Nicklin. I would like to ask you a question, but before I do, I want to take this opportunity of introducing another member of our Judiciary Committee of fifteen attorneys. From the County of Orange and the City of Los Alamitos, where they also have a race track, the 70th District, Assemblyman James Whetmore, a very fine attorney. Jim, glad to have you with us.

When you bring up the advantages of geographical knowledge and local knowledge of the judges, shall we say propensities, of course, the other side of the coin is that the attorney representing someone from another district is at a disadvantage because he doesn't know those propensities. Also, that may be a small item as compared with the disuniformity as between courts. The attorney coming from another district may not be far away but may have to acquaint himself with the fact that a reporter is available on request or he has to be requested with so many hours notice, even a day or two notice. All of these various methods of procedure which apparently vary considerably in some or as between courts, operate against the theory of some uniformity. So, when you speak of the advantage of home rule based on the peculiar knowledge of your own judge and the usefulness of having that, we all recognize that, and that is part of our trade as attorneys. But, on the other hand, it is a disadvantage to an attorney coming from another area.

MR. NICKLIN: That, I readily concede, but I don't know that it is all bad. I should have added, and I had a note to the effect, that in any area where objective rules can be established they should be established and should be uniform, regardless of what's in existence. In other words, an attorney should know that he can or can't have a recorder, that one is already there or he isn't already there, that it takes a day's notice or it doesn't and that he has to put up so much money or he doesn't. He is at a tremendous disadvantage if that varies every place he goes. That applies to all sorts of things that you consider routine as long as they do it your way, but it certainly isn't routine when you go into a strange court and you find that well, you have to have the summons all filled out already and in another place they fill them out for you, and you are stupid if you have already done it, what did you do that for, we do that here and all these little things - the administrative details. Heaven knows the more uniformity you can get the better. As to the idiosyncrasies, I will admit that those that practice more in the court would have the advantage. I only state this, though, that there are some advantages in preserving that, now whether they are outweighed or not, is the big question. For example, the bad intersection type of thing. Now, it can work to the advantage of the uninitiated too. If the judge knows that that is a poorly designed intersection and that anybody that is from out of town is going to get caught by it, and I could give some real classic examples in my own family, that could very well work to the advantage of the uninitiated too. So, I mean it is not totally one-sided.

CHAIRMAN WILLSON: Well, Mr. Nicklin, comparing a multiple judge district or court with a single judge district, would you agree that the exercise of the disqualification by affidavit and protection of the client would be a much more serious approach to a problem in a single judge court than it would in a multiple judge court.

MR. NICKLIN: No question but that it would.

CHAIRMAN WILLSON: Well, thank you very much. Any other questions? Assemblyman Johnson.

MR. JOHNSON: Mr. Nicklin, in the question of the disadvantages of the wider court area in respect to the judges, I assume you were speaking this would apply certainly to the one-court plan. My question is would this apply to the so-called nine-court plan? In the same degree or a lesser degree or not at all?

MR. NICKLIN: The disadvantages of the one-court plan are less than the nine district plan. I would, personally, lean somewhat towards some change in our present system, if it be not too drastic, if it be not to cumbersome and then you get right back to this big problem of where do you draw this particular line. I do not believe in weakening a basic proposition by throwing out certain propositions that are intended to carve off segments of opposition. If a plan is good, it ought to be good and I am referring particularly to this business of rotating the locations of the presiding judge. Pick the right location and in the long run it is going to be more convenient over the long haul for everybody, although temporarily it might be more inconvenient.

CHAIRMAN WILLSON: Assemblyman Z'berg.

MR. Z'BERG: Mr. Nicklin, I think you are probably an outstanding City Attorney because you have pointed out the various problems without telling us what your opinion as to the outcome should be. Let me ask you, if I can, about this one thing you mentioned about the more difficult problem of unseating the judge if you enlarge the district. Is that unnecessarily bad?

MR. NICKLIN: I don't say...

MR. Z'BERG: Do you think we ought to make it easier to unseat judges or should we make it more difficult? Do you think that the desire to have it easier to unseat judges is a good one? I'm not necessarily sure it is.

MR. NICKLIN: My personal opinion is that a judge should be appointed for life and should be subject only to impeachment. That's my personal opinion. I think that they are too frequently put to the task of running for an office which really shouldn't be political. It shouldn't be a popularity contest and yet the average citizen does not even have the slightest means of ascertaining what that person's true ability as a judge is. They know him as an excellent speaker, they know him as a lot of things but not his true ability as a judge and even the bench and the bar are not always the best judges because frequently the best trial lawyer is suitably known as the worst judge on the bench and vice versa and you can't make categorical statements. But I will say this that by and large we have as fine a bench in California as you will find any place in the world. There is always a bad apple here or there, the Supreme Court has dealt with a couple of them recently. The people have the means to deal with them if they get bad enough and until they get bad enough, I don't think it is advantageous that they be even subject to being turned over all the time. I think it defeats the idea of impartial justice if they have to look too much to the ballot box.

MR. Z'BERG: So then I gather that if one of the stated objections to some kind of reorganization is that it might make it a little more difficult to get rid of a judge that this wouldn't, in your opinion, be a tremendously sound opposition to any reorganization.

MR. NICKLIN: To me, personally, it would not, because if he is going to be unseated in a larger district it is going to be, I would think, by a more informed group that is working to unseat him and I am referring particularly to the bar.

CHAIRMAN WILLSON: Thank you very much. We appreciate your coming.

The Honorable Winthrop Johnson, Judge of the Citrus Judicial District. FROM THE AUDIENCE: There are two of us.

CHAIRMAN WILLSON: We will follow seniority here. All right, Judge Lothrop Smith.

JUDGE SMITH: Chairman Willson, and members of the Committee. As you gentlemen probably know, I wrote a brief on this subject which was, I believe, transmitted to you gentlemen from one of the agencies, I think it was the California League of Cities or someone at some time or another, and I have copies of it here and I do not intend to read it. It is only about seven or eight pages long and I read reasonably well but I am not going to read it. I am going to leave copies if any of you want to read it.

Briefly, I do not believe that any change is going to reasonably produce benefits. That is my position. I don't believe that any change, whether it be the one-court plan or the nine-court plan or one municipal court for the County of Los Angeles, necessarily will produce any benefits. The types of benefits that largely have been discussed by the proponents of this plan have been rather material ones in that they believe that the cost can be cut down. That, of course, I believe is a completely false premise. I do not think they will save the County of Los Angeles one five cent piece to have larger districts. They are going to have to have just about as much judicial manpower regardless of how you do it. And, particularly, you will have to have exactly the same amount of manpower to maintain courtrooms in every place that you are having them at this day. The only way you can cut down on personnel is by consolidation physically where seven or eight or more judges are located in one place so that there can be some calendaring and some more efficient machinery used to handle both the clerical work and the judicial processing. So I think it really gets down to what you gentlemen think is the better way to run a court. I, personally, have no objections to a seven-court plan or a one-court plan in that it wouldn't make the least bit of difference to me. I have worked in Pasadena. I have worked in 12 of the 23 districts. I have spent approximately two years on assignment of the Superior Court. I have worked all over the County of Los Angeles, and to me it makes no personal difference. I would just as soon drive down to Los Angeles, it takes me 22 minutes, to Pasadena it takes me seven minutes, to Pomona it takes me about 32 minutes and that little bit of time doesn't make any difference to me personally. And to be a member of a larger court probably would lend to my stature and, of course, having one-court for the entire system, one superior court doing everything, it probably would be the only way I'll get on the Superior Court. But, seriously, that plan I think has the least merit of any, because these are things that are small in their nature, there are small claims, there is traffic, there are little automobile accidents, they are a little bit bigger than small claims, there are misdemeanors there are all kinds of little problems of little people that have to be handled, and I believe they are handled best, on a local scale.

Now, as far as this much talked about home rule proposition, I give it no credence whatsoever. The argument to my mind is of no value whatsoever. I think I do just as good a job when I am over in Pasadena or when I am in Pomona or when I am in Whittier or wherever I happen to work because I put in exactly the same effort. If there is a street corner that I don't know and I want to familiarize myself with, I go look at it. If somebody has a complaint about their lawn not growing and the man says it is growing beautifully, I go look at it.

If someone has some other matters of that nature, if it requires my personal attention, I give it to it whether I am at home or abroad, so to speak.

However, there are a few little things that I have done that would be impossible. I have put people on personal probation where the probation officer says this man is a hopeless case. Nothing can be done for him; he is lost to society. In many instances, I have had that man report to me every week; I have had him report to the police department every single night to be sure he is sober and I have had many, many little private arrangements that I have made that I could not do if I were elsewhere and there are some little things, these are not momentous, but are rather important to that guy who for the first time is on the wagon for three years, but they are really not important in the whole scope of the problem. But the real question really is and this is what the supervisors, what you gentlemen, what everyone else dealing with this problem, has to decide: what is really better for the individual litigant that comes into these courts who have, in our case, to come from Monterey Park, Temple City, San Gabriel, Alhambra, to Alhambra. If we are going to continue to do that, then we just may as well go along the way we are or should we consolidate and have one court some place else in Pasadena, South Pasadena or Alhambra and everybody from the...well, instead of 180,000 or 190,000 people as we have, about 350.000 more than that, about 450,000 people are going to one place. I, gentlemen, just by nature like the smaller operation and I can't give you any facts or figures to prove that it is going to cost you any less, but I don't think anybody else can give you any facts or figures to say that it is going to cost you any more to have the individual courts. Thank you, gentlemen.

CHAIRMAN WILLSON: Judge Smith, I would like to ask you a question. These areas here are not contiguous under 402, thus that consent procedure for transfer and assignment doesn't operate.

JUDGE SMITH: I don't think it is going to operate very well or very much under any circumstance.

CHAIRMAN WILLSON: On what basis do you make that general statement?

JUDGE SMITH: Well, I just don't...it is so difficult to anticipate the need and just what you are going to do. As I recall, you can send the case to a contiguous area. Generally speaking, as Mr. Williams pointed out, people don't wait around too long to find out whether they are going to get their lawsuit tried. If they determine that they are not going to get their lawsuit tried in Alhambra on that day, they say, can we come back on a day certain. They don't say, well we will wait around here and see whether something breaks in Monrovia and possibly run over to Monrovia. I mean, that is the way it is working up to now and I don't think there is going to be any substantial change in it. I think it is one of these things that sounds better than it is actually going to work.

CHAIRMAN WILLSON: Now, I practice in the City of South Gate, in Los Angeles and Compton and Inglewood, and so on and speaking of the superior court for a moment if I may, if we have a case that cannot possibly be heard in South Gate the judge will inquire of his clerk if Compton is available. And we have a choice of it being heard today in Compton or putting it over until another date certain and trailing and trying it again. Sometimes it is advantageous where you have many witnesses, maybe an out-of-state witness or an out-of-county witness or a distant witness and you say to your client, well, what do you want to do? Let's go to trial. There is a court available in Compton so we take it and we drive over to Compton and try our case before a judge there.

JUDGE SMITH: All I can say to you, sir, is that up until now we have just had no experience with it at all. The fact of the matter is, I would say, it is one case out of - I would say not over three cases a year - that are ever required to trail in our courts the next day in any event.

CHAIRMAN WILLSON: Oh, is that right?

JUDGE SMITH: We try to calendar them in a manner that we can dispose of our own calendar. Incidentally, I am here today at the courtesy of Assemblyman Song's office. His partner had a case that was calendared for all day and it would have taken all day. It is a rather serious dispute on a fraud matter. However, about a quarter to eleven they settled the case and I had the rest of the day off.

CHAIRMAN WILLSON: Well, judge, I would like to ask you another question or two and I see some more here. You are in Citrus, is that right?

JUDGE SMITH: Alhambra. I have been acting judge over there for 13 years October 1.

CHAIRMAN WILLSON: How many judges do you have in Alhambra?

JUDGE SMITH: Two. We have 181,000 people and we have a little more than the average amount of business per judge than the rest of the County of Los Angeles already but we could still probably stand 25% more business without having a new judge. I don't see any need for one in the foreseeable future.

CHAIRMAN WILLSON: The State Legislature, of course, has this problem. When we have an increase in population we are asked from various and sundry districts, - Pasadena, Long Beach, Citrus, and so forth, - for judges. We expect the county board of supervisors to approve of the request, they make their independent study, the have to raise the taxes to make the payment and the present method of solving the increasing problem is just appoint new judges. Rather than just accept that as the only solution, we are trying to look at the overall picture. We have other problems we are going to look at in the Judiciary Committee with respect to salaries of the court attaches. You are probably familiar, judge, with the fact that the attaches of the various district in various counties will get raises and then this county wants a raise and we find ourselves playing a juggle man - juggling these back and forth and the committee seems to feel there should be some uniformity. I just mention that because that is another phase of this overall picture of making new judges and we have been asked by Los Angeles County here to look at it and see if we can find some other solutions or some help. So if your statements are very pertinent and your opinions are right on point, I would like to ask you if you have any opinion as to the election of the judges? Can you see any reason why it would be more important that a judge be elected in a smaller district with respect to the administration of justice? Now, I don't mean for the personal interest of the judge himself but as far as the people of California are concerned. Is it better to have a judge elected on a local basis where he doesn't have to raise as much money and he possibly can become better known through his activities than it is on a larger district where he becomes somewhat unknown except at ballot time?

JUDGE SMITH: We have had that problem not only arise in our district. I had a man run against me the first time up, but we have had it recently in Pasadena and some of the other districts. Frankly, I see no advantage to the public or anyone else in the smaller district. I think that is an invalid argument as far as I, personally, am concerned.

CHAIRMAN WILLSON: Thank you.

JUDGE SMITH: I do want to say one thing to you about your problem of having to ever supply judges. This area, and I cover this in my brief incidentally, is growing at the rate of 160,000 to 190,000 people a year. That is a city almost as big as Pasadena every year and you have to have homes, you have to have schools and you have to have grocery stores and believe me, you have to have judges. Until someone thinks up some new gimmick, and the gimmick will be if you think of one, will be commissioners, or hearing officers, or something else but they will be judges doing the work that the judges are doing today.

CHAIRMAN WILLSON: Do you have any judicial free time in your district that could be used for hearing cases?

JUDGE SMITH: I will explain to you what our setup is briefly. We have in our court, we start every morning at nine o'clock in both divisions. And every morning at nine o'clock we hear small claims and traffic and that takes normally until about ten o'clock. At ten o'clock we have a calendar every day of the week of some other sort. Some days they take all day and a little bit of the next day. Occasionally we have had a case go three days. I think that is about the maximum we have ever had. But in a normal course of events, I would say there is at least one afternoon a week that I don't have to return if I don't want to. I am there, however, unless I am some place like this, every day until at least 4:30, because that is my job and that is where I stay.

CHAIRMAN WILLSON: Thank you very much, judge. Assemblyman Song has a question.

MR. SONG: I certainly appreciate your appearance here, judge, and if my office can accommodate you at any time, we shall be happy to do so. Do I understand you correctly, judge, that your position is that no particular benefits will necessarily accrue from any form of consolidation, whether it is a one or nine court?

JUDGE SMITH: That is my position. Incidentally, I do want to point out to you that Judge Sprankle as this year's president of the Association, has been trying to do some things which I believe are good and are of benefit, such as trying to get our rules more uniform, our instructions more uniform, I think these are good things. But you are not going to change Judge Baida or me and the way we think the law is about certain things. I don't agree with Judge Baida on his speech this morning, but I have some things that nobody else agrees with me on and I do them in my court that way and I will continue to do them whether I am one of 200 judges or just one judge myself.

MR. SONG: Well, yourposition on this is quite clear. So let me ask you my second question, if I may, sir. Is it your opinion that there are problems today in some of our municipal districts because of overwork or heavier work load perhaps in some district than in others?

JUDGE SMITH: Yes. This problem arises from time to time and particularly in areas like Citrus, where there is an expansion of population and sooner or later there is an overworked proposition. When you add a judge for a certain period of time, usually there is an underworked proposition because they don't need a full judge - they need a half judge - there are some problems. Frankly, I personally believe that the cost of taking them in the manner that we have been taking care of them in the past is the better system.

MR. SONG: Would you have any solution you would like to offer in addition to that, if I may compound my question? Are you in favor of this principle of transfer of judges, if necessary?

JUDGE SMITH: I think it is a good idea. We tried that in Pasadena some years ago. The Chief Justice asked us if we could send one judge to the superior court between the two of us and we worked out a system where Pasadena sent us a judge two days a week and we sent a man to Los Angeles and then for awhile we sent a man to Pasadena three days a week and they sent a man to Los Angeles. It worked for awhile but pretty soon the squeeze got to the point where it just wasn't working for either one of us satisfactorily.

MR. SONG: Do you have any solutions you would like to offer?

JUDGE SMITH: I just don't know the solution to this. We have a problem where we have two...more than enough for two...see, we don't have another courtroom. When we get to the place where we need two and one-half judges, we are out of luck anyway. We have no place to put him. If Pasadena could send us a man in the afternoon, we couldn't do anything with him. The only thing we could do is that if they had a vacancy, send the court over there. Under this legislation, we could do it. Up until now, it really hasn't had a fair practice or fair trial and I don't know how it is going to work. But we have never used it and nobody has requested help from us under this system up until now. Of course, it has only been in effect since September 19th or something. We never can turn anybody loose in the morning... and Wednesday we never can turn anybody loose in the afternoon hardly. I only recall one occasion. That is the only request I recall.

CHAIRMAN WILLSON: Assemblyman Johnson has a question.

MR. JOHNSON: I would like to ask you a question. I have an inconsistency in my mind on a couple of your statements when you stated that you would sit in Santa Anita, El Monte or Pomona you do as good a job as in your own court and I am sure that's true and as an attorney I feel that is true of any other judge that I have met. However, you also stated that there are certain advantages in staying in your own court which came up in the discussion this afternoon in response to other problems which in my mind leaves..I don't quite reconcile the two statements. I am sure you can.

JUDGE SMITH: What I was stating was that the arguments that just knowing the district and knowing the people I don't think is a particularly valid argument; knowing the police officers that come in or the district attorneys that you see regularly, and so on and so forth. But I wanted to point out there are some little things and one of the fields has been in trying to work with real marginal people that live in your backyard and you have a personal interest in them as well as a judicial interest and it is much more easy to do so if you are going to be there every day and say, I want you in here next Wednesday morning clean and sober and you know that you are going to be able to tell him that every day for the next ninety days, it has some effect, I believe, it has some benefit. How great it is, I don't think it is a great one, but it is one that I have used from time to time.

MR. JOHNSON: Thank you.

CHAIRMAN WILLSON: Assemblyman Z'berg.

MR. Z'BERG: Judge, I am trying to develop, if I can, what the main arguments are against this plan, and the supervisors' plan, and listen to witnesses and try to decide whether or not they have valid arguments. Now as I gather it, the argument that it is harder to elect judges - doesn't particularly make any difference to you; - you don't think that is a valid argument?

JUDGE SMITH: I don't believe so.

MR. Z'BERG: You talked about cost, but is cost a valid argument for you to make or for us to consider, if the supervisors are the ones who have to raise the money to run the municipal court? It is my understanding that they are the ones that clear the costs. If they want to do a thing which is going to cost money or might not cost money or whatever it might be, if they are the ones that are personally charged with the raising of that money and the spending of that money then I wonder whether, apart from the general interest that we all have as taxpayers in seeing that money isn't wasted, should we superimpose our judgment upon the judgment of the people that are really the ones responsible for the expenditure of county funds? Do you think that cost is a valid argument for the Legislature to consider when it is county monies that are going to be spent and are going to be raised in the county?

JUDGE SMITH: I do. I think a Legislator has a duty beyond his duty to the State of California. He has a duty to the people in Los Angeles County just as well as he has in Sacramento County, referring to you as an individual, in seeing that money is intelligently spent and used for the best benefit of the people that are paying the taxes.

MR. Z'BERG: You think our role, then, is to supervise supervisors to see that supervisors don't spend money that they raise locally in a fashion that we in the State Legislature don't agree with? Do you think that is a proper function for us in the State Legislature to partake of?

JUDGE SMITH: I think it is a proper function for the Legislature of the State of California and this Committee, in particular, to examine all of the facets of a change in the court structure in Los Angeles County because that apparently is your purpose here today and if one of the things that one of the arguments going to be made is that you are going to save money on this hand and spend more money on that hand I think that is one of the things you should definitely take into consideration.

MR. Z'BERG: Well, if we do this for the judges how far would we apply this principle to solely county operation? Should we determine whether or not the money that is being spent on a county road system is being properly spent or not? Aren't there some things that are by their very nature - the money is raised locally - provinces of the local authorities and for us to say that we don't like this because we think that you are not spending your money wisely is a real violation of home rule. Here, I think, or wouldn't you agree, here is a real home rule principle.

JUDGE SMITH: This has a long historical background and I will try to relate it to you as briefly as I can. During the course of the changeover from the Justice and Police Court systems to the present system there was a great deal of worry on the part of certain cities and communities and they didn't want the board of supervisors to have the final say in every facet of this matter and they felt more secure in having it in the Legislature. So, as a consequence, why this sort of a compromise situation came about. The Chief Justice of the California Supreme Court was a leader in it and many other members of the bar and of the Legislature at that time were leaders in drafting this type of legislation which they felt gave maximum protection on both sides by requiring a joint action in many things of both the Legislature and the board of supervisors. This is where we are and this is the situation we have to deal with. Whether or not it is philosophically correct or not, I don't think is terribly important. It is what we deal with today.

MR. Z'BERG: Well, if it is not philosophically correct, if we arrive at that conclusion, then should we not eliminate that as a criteria that we here on the Judiciary Committee use in determining what should be done as far as redistricting Los Angeles is concerned. For example, I have thought that there are many, many things which are extremely archaic in the Legislature as far as the validating of local acts are concerned. Maybe you would disagree. Perhaps you think that there would be real merit in us deciding whether or not a charter amendment, that was passed by a city, should have been passed or not. Now, we have to do that in the Legislature because the constitution so says. But I think it is extremely archaic and I don't think that we, in the Legislature, should look into the merits of that action at all. I think what we should do is derive some kind of method by which we really give to the local agencies the right to determine their own future. But that is the state of the law. So practically, in the Legislature, we haven't been looking at the merits at all, we have just been formally, I am sure that you know being in the Legislature in the past, just rubber stamping these acts that go on. Isn't this somewhat the same sort of thing? If the costs are raised locally, if they are to be spent locally, should we really, philosophically, be looking at costs as one of the things that we should be considering in this redistricting problem? That is my question.

JUDGE SMITH: I appreciate your question. It is a real nice question. It has been debated, believe me, the Judges' Association of Los Angeles County, the Municipal Court Judges' Association have debated this almost annually. In every instance they have resolved that they would rather have their fate in the Legislature than they would in the board of supervisors. Now, I haven't shared all the fears of my colleagues but I can tell you the great majority of them would rather have fate in the Legislature than they would solely in the board of supervisors and they have expressed this by vote not once, but many times.

MR. Z'BERG: Is that because generally they disagree with the supervisors?

JUDGE SMITH: No. It relates back to the old Shaw days in Los Angeles when politicians were putting their thumb on judges to fix tickets, to decide cases this way, to do thus and such. And there are enough of them left of the old timers who are afraid of this type of thing returning again sometime and they felt that people in Sacramento who wanted all of them on your back all the time, might be a safer situation. Now, I can tell you this, before I was a municipal court judge, I was a justice of the peace and I was hired by and originally appointed by the board of supervisors and my salary was fixed by them and my working conditions were regulated by them and I personally don't have the fear. I never had a member of the board of supervisors or his leg man or anybody else ever attempt to influence me about anything, so I don't have this fear. But some of the people who have lived in this area for a long, long time and remember days when things were different do have this fear.

MR. Z'BERG: Well, we set the salaries of the various attaches of the court. We have to formally approve those. Do you think it is a proper province for us in the Legislature to say that if the county wants to pay the clerk $18,000 a year we ought to say no, we think that is too much, it should only be $17,000?

JUDGE SMITH: It happened once.

MR. Z'BERG: No kidding?

JUDGE SMITH: I happened to be Chairman of the Los Angeles County Municipal Court Judges' Association Legislative Committee on that year and we recommended a $1,000 more for Joe Bookman than he ultimately got due to some of his own activities that disappointed some of the Legislators in Sacramento. However, generally answering your question, the answer is this. As a practical matter, and I am not sure who started it but I sort of think maybe I did, we have always gotten together with John Leach and gone over the salaries, how many people they think they ought to have, what we ought to pay them, and usually the - at least in my opinion - usually they have always been ultimately fair. We have had little disputes and had arguments for a period of time but ultimately we came up with what we felt was a fair bill and we have never had a fight with the board of supervisors on any occasion. As I say I, personally, have not had any difficulty with the board of supervisors and I, personally, don't have the fear and I would see some merit in changing the law and letting the supervisors run this affair. However, I don't think it is going to happen because there are more people who think the other way than think that the supervisors should have the sole say.

CHAIRMAN WILLSON: Judge Smith, we appreciate your answering a policy question. Generally, advocates up before us as you may recall avoid policy questions and won't answer them very justifiably but we were delighted to hear your position. May I ask you, sir, do you believe that fixing the tickets in the modern day now plays any part in the consideration of home rule?

JUDGE SMITH: I don't think so. I can say this honestly. The newspapers have supported me regularly, I have never had an election where I didn't have a front page endorsement on the newspaper, I have never had the newspaper even mention so much as a parking ticket. The police officers...occasionally the only time I ever have anything that would even resemble it, is somebody comes in and says, "Some poor widow out here looks like she doesn't have a nickel and do you suppose you could suspend her fine?" But it is just charity for somebody that they don't know. So, I have no ticket fixing in my area and I don't know of any that exists in Los Angeles County.

CHAIRMAN WILLSON: Thank you very much, Judge Smith.

We would like to hear from the Honorable Winthrop Johnson, Judge, Citrus Judicial District.

JUDGE JOHNSON: Thank you Mr. Chairman and members of the Committee. Unfortunately, I wasn't here this morning and I didn't hear what others had to say. I was quite interested in what Harvey Johnson had to say about getting a little closer in our ideas. Actually, I have always been one of the judges who has been very much in favor of the nine-court plan and also of the stronger division and regionalization of the superior court. At first this was a matter of economy in part. It started back in 1952 when Judge Stanley Barnes was presiding judge of the superior court. We began to run into this situation which some of you gentlemen I am sure are familiar with where we thought that every city was going to have a superior courthouse all its own. We felt that that would certainly be a horrible waste of the taxpayers' money. We also felt that one and two judge courts tended towards inefficiency because of calendaring difficulties, and certainly whenever you get a long preliminary and we have had one now in our court going into its fifth day, this throws the rest of your municipal court calendar out of kilter. Some of these can't be anticipated, on the other hand, some of them can. I am sure you are aware of the fact that cases involving obscene literature are tried in municipal courts and I had one of those cases a year or so ago that went three and one-half weeks. Judge Miller had one that lasted five. Some of these cases you can't anticipate and that leads me into the problem that I want to talk about. I'm not going to advocate a system that advocates some ideas that way. The growth factor in our area which takes in Azusa, Glendora, Covina, West Covina, Baldwin Park, Irwindale, Industry, Charter Oak, Covina Knolls and Highlands provides us with a very different situation from the situation which obtains in Judge Smith's court. We are a new area and in 1954 when that court was first created we had one judge. We got up to a weighted caseload of one judge in 1957 before a second judge was appointed, 359,000 weighted case units per judge per year which I am sure John Leach will confirm. I am sure he will also tell you that when you have that type of case load per judge, the only thing you can do is to just take them in the front door and run them out the back door and dispose of the case, trade them down, do something with them, but you are certainly not a principle of justice in the sense that it should be administered in our courts.

Now, in 1957 we had a second judge; in 1959 a third; in 1963 a fourth. We anticipate we will require an additional in 1965, 1967 and either 1970 or 1971 in this area. Our present population is somewhat over 300,000 according to the latest statistics that we have available and I think Mr. Leach will confirm those. We anticipate 523,000 people in our judicial district by 1970 which is just a little over six years from now. Now, population isn't everything. Population is one element in the court process. It doesn't cover the entire field. We have been quite interested and I have made several studies since I have been presiding judge of our court, to determine why certain types of cases were jumping. We have had a 150 per cent increase in our small claims cases of which more than fifteen per cent are contested within a period of 18 months. This just makes you wonder why and the only thing I can say is that in a new area in which more people are coming in constantly and where you haven't sifted out the sheep from the goats and you haven't determined here is a reliable man and everybody in town knows it and here is a person who is unreliable and he, of course, is apt to move on. You have a lot of new people and a lot of people who are coming into an area because there is business there, who are going to involve or be involved in a lot of litigation so that we do have a peculiar problem with a district of extremely rapid growth.

Next to us to the east is Pomona. Pomona has just started to grow. They now have a two-judge court. One of the two judges has spent...well he is required for approximately 60 per cent of his time because there has been a shortage in superior court judges, he has been sitting up on the superior court rather than helping us and that is all right with us if we get the help from somewhere. Pomona's growth will take place, essentially, between 1970 and 1980. Now, what we have had is a feast or famine. And when I first went on the bench I wanted to work like anyone else and, frankly, we didn't have enough to do and I went over to Pomona and helped in Pomona when I was requested and sometimes offered when I wasn't. Last year we were in a terrible situation until we got judicial help and we needed it very badly.

Now, the matter of transferring cases is something which sometimes can be done. We had made one request of contiguous courts under 402 and found that nobody was able to handle that case at that time. There was one where we had some out-of-county witnesses and wanted to dispose of it if possible to the convenience of all concerned. There was considerable expense involved and we had no success. We have never receiving a request as yet from any contiguous court. As the population grows it is an area of feast and famine. If you have a new judge appointed in a two-judge court you are increasing your help 33-1/3 per cent. If you increase it in a one-judge court, you are getting a 50 per cent increase and I see no reason why we couldn't handle our cases more efficiently. I'll agree with Judge Smith in savings. Suppose you had a maximum savings of seven or eight judges in Los Angeles County. This isn't going to make or break the county. There would be, possibly, some savings involved by operating on a nine-court plan or something like it, but essentially to me, it is a savings directly to the litigants involved and to the police departments and to the cities which we serve to handle our court matters expeditiously and it got pretty terrible last year when you sit and find that as you called off your jury calendar that...I recall one day when there were 11 cases, which had been continued at least twice, to be heard and there are cases which should properly be heard and shouldn't probably. And that is a distressing situation. Now if you can secure help from an adjacent court on that basis and if you can do it by planning ahead, which is very important, then I think you have accomplished a saving, possibly some small saving for the county but a substantial saving for the cities and the litigants involved before the court.

I would certainly feel and I would agree with some of the other speakers, that I would oppose one large court for Los Angeles County. The administration of the superior court is already difficult because of its size. I haven't noticed that the branch courts came out on the long end of it particularly up until now. I do favor the stronger regional courts in one form or another.

I spoke about calendaring and that certainly is the secret of municipal court efficiency. Having a judge available just in an emergency or for a half day or a day sometime is not particularly helpful. It is great when you need it. And sometimes you need it badly and are glad to get it but if you are going to plan on a difference between where you have excess manpower in one district and you are a little under in another and this is bound to be true, where you are growing rapidly and where you don't have a solidly built up community. Then if you can calendar ahead, and this takes at least six weeks, because if you are going to calendar, if you are going to change your traffic calendar, you have to notify your police departments and we have a district with seven different cities plus the California Highway Patrol plus... and two departments of each...these have to be notified so that you can get your calendar set so that you can use the help that you get to the best advantage when you get it.

CHAIRMAN WILLSON: May I ask you a question, judge? Assuming a heavy case load and diverse litigation, diverse subject matter of litigation, would you have any opinion as to whether it would be easier to more expeditiously calendar and maintain a calendar in a multiple judge district as distinguished from say a single or dual judge district?

JUDGE JOHNSON: Well, I would answer that in this way. I wasn't thinking necessarily of a master calendar arrangement. I was thinking that if we had a presiding judge for a supposed Citrus-El Monte and Pomona, whether he is presiding judge of an area under one head downtown or whatever he is. But let's assume we have somebody who is in charge of Citrus-Pomona and El Monte and we also have persons who are judges or presiding judges of the local courts and I certainly don't want to do away with it. Then certainly the two judges can sit down together and say, look, we are going to need Judge Snyder for half a year this year, half his time. You can use him for half his time; now let's work out how we are going to use him. This has to be worked out well in advance and I think it would be an advantage to have a presiding judge who would not be bound merely to his own present district, speaking of the 23 present districts, but still close enough to his fellow judges and I think the superior court makes natural boundaries. They make natural relationships between the judges and they make natural relationships between the attorneys and you know each of them. If somebody in that group can say, all right, let's set it up this way this year, and they will allocate so much time of this judge and so much time of that judge. I don't give a hoot where I sit, to tell you the truth. I will work anywhere and if somebody can work things out where I am busy all the time and if somebody can work things out so I don't have to work the way I worked the last six months, which was unreasonable. My court clerk was getting down to work every morning at

7:00 o'clock. She rarely left before 7:00 o'clock in the evening and things got pretty rough. It wasn't right. Because when you do that the administration of justice suffers and particularly in the outlying areas of the county. I am talking about Antelope. I am talking about Malibu and I am talking about Citrus and Pomona.

We are going to have continual trouble and a lot of that trouble can be eased because you aren't going to give us a judge until we have to demonstrate an outstanding need and we don't want one until we demonstrate a need. But we are going to be in a jam two years from now when we come back for another judge for you and we will be in a jam again four years from now. If we can get some help from somebody else during that period of time on some reasonable basis I think it will make a lot of sense to work out a system that will provide us help. As I say, I think it will be a saving to the litigants, essentially, some slight saving to the county.

In closing, I would like to say that I am in favor of some system for assigning of judges or cases and particularly judges within an area not greater than that of a superior court district, by someone who is a presiding judge of a group of municipal courts and has the power to see to it that the person is assigned for the benefit of the whole district rather than looking us to the district which he represents. Thank you very much.

CHAIRMAN WILLSON: Thank you very much, Judge Johnson. We have sort of a team here as a joint presentation, the Honorable Joseph Sprankle, Jr., Chairman, Municipal Court Judges' Association and John R. Leach. Mr. Leonard Horwin has already addressed us because he couldn't be here this afternoon and the Chairman of the Committee is under the impression that Judge Sprankle and Mr. Leach are going to answer questions. Am I right in that impression or did you have a positive presentation that you wanted to make, judge?

JUDGE SPRANKLE: I would be happy to answer questions. I think Mr. Horwin did an excellent job.

CHAIRMAN WILLSON: Fine. Well, bearing that in mind, I will go on with the agenda at this point and we have the Honorable Patricia J. Hofstetter, Judge, Whittier Judicial District.

JUDGE HOFSTETTER. Judge Donnellan came over with me and I think he is probably much more familiar with this than I am since he was one of Judge Sprankle's predecessors who did work on this question of consolidation to some great length. The only thing I wanted to say very briefly, and I will try to not take more than five minutes if I can, would be some general statements about the purpose of consolidation or to courts at all, really.

I haven't been on the bench very long, as some of you may know, and some of you do know, and it seems to me that any program that we consider for consolidation of municipal courts must be considered in view of where we hope to be in the county, particularly, because that is what we are concerned with, in the County of Los Angeles within the next five or ten years. It isn't so much where we are going to be in 1965 and 1967 insofar as our courts are concerned, but where we hope to be in 1970 or 1980 because we know we are faced with a problem of a terrible size county and there is very little we can do about that. We know it is going to continue. So what we have to do is, and I say we as people - not necessarily the judges - what we have to do is think about what is going to be in the best interest of the people and county, the attorneys, the litigants, as well as the judges, in terms of having some kind of a sensible system for the people in understanding where they will go and how they will handle themselves in connection with their court.

The reason that you should ask us is because, theoretically, we have some experience with it and therefore you should get the benefit of our thinking, probably, on what makes sense. But the real consideration is not so much what is convenient for the judge but what is convenient for the people and what is for the best interest of the people.

I agree with what Mr. Z'berg said and what Judge Smith said, that money is not basically the main consideration because whatever we do is going to cost money and maybe if it is going to make one million dollars difference one way or another and a million dollars is important and none of us would recommend something that is going to cost one million dollars, unless it is a better program. But the money is not the main thing. The main thing is efficiency in the administration of justice and efficiency in a broad sense not just that you can get in and out of court in ten minutes but that your case will be heard somewhere near the time you hope it would be heard but it isn't heard too soon and it isn't heard too late but you do have access to your court. Now just looking at these maps to the average layman, the average judge, even with the consolidated municipal districts, is very confusing. It seems to me this again, just as a citizen more than as a judge probably, it seems to me that eventually in 1980 what we want or what we should have, would be judicial districts that are coterminous, that is the municipal districts and superior court districts substantially coterminous. It doesn't make too much sense to say that the Whittier Judicial District is bounded here and the Southeast Superior Court District is eight blocks one way or the other from our district. They could be coterminous, there is no reason why they couldn't be. I realize this is a small matter, but what it leads up to, obviously, is if this makes any sense, if a regional plan makes sense to the superior court and regionalization and consolidation makes sense for the municipal court, eventually what we will come up with, of course, will be courts within regions within the county and then the next question that will come up will be why have two courts within the region. Why don't we have a single court of record? The reason that this is important at this time, and I throw out this statistic, I don't really know what it means but I'll throw it out, the State Controller tells us that there will be 70 superior court judges retiring in 1964 and it is anticipated by experience that the bulk of the judges who will be retiring will be replaced by municipal court judges, that is what experience indicates.

The argument that municipal court judges are not so qualified as the superior court judges no longer obtains. Experience indicates this, practice indicates this and my experience in knowing my colleagues indicates that they are competent people. I think that if what we are eventually going toward is a single court of record in Los Angeles County set up on a regional basis, that is areas, so that we don't become one great big county court which none of us would want, that is those of us who are outside of the City of Los Angeles, then what we need to think in terms of will the court's type of consolidation that we can put into effect now eventually lead towards the solution. I agree with Judge Smith in this, there is no point in consolidating something just for the sake of consolidating it. The amount of workload that you do in your court depends partly on the population in your district, partly on your calendar and problems and partly on the personality and temperament and physical stamina of the judges. If judges are able to get on the bench at 8:30 and work until 6:30 they will. They can't do it forever, but they will as long as then can. There is no need that they should forever. In our district, for example, we have approximately 250,000 people and we have two judges and we start at 8:30 because we have to. And neither one of us particularly enjoys it. But we would rather start at 8:30 and get through at 5:30 than start at 9:00 and get through at 6:00.

We will be coming to you for another judge in a few years, no doubt. We prefer not to, we would rather have it just be a two-man show because we like it this way. Judge Donnellan and I are very compatible, this way we can run our own court, we set our own rules, within reason, we can set our own calendars, we can decide what we are going to do but actually, from the standpoint of the people of the community, it doesn't make a great deal of sense to do it this way. There are two main reasons for this: One, as you can see from the superior court map, people in Whittier travel to Los Angeles or to South Gate or to Compton. Soon they will be able to travel to Norwalk for superior court services. They will never be able to go to a court closer than Norwalk which is all right, because Norwalk is very convenient or will be when that facility is built.

Secondly, we have to have three jury dates in Whittier because we have tremendous jury calendars. We have from 12 to 15 jury trials set Mondays and Tuesdays, criminal matters on Thursdays. We have all civil juries which usually run about 15 set and three if we are lucky. This means we bring in a tremendous number of jurors every week, three jury days are a lot of jurors. They all wait in the hall because we have a small two-judge facility with no jury room, no other physical facilities for the jurors; although, I am glad to say the County is going to try to build us a jury room. The problem then is that with a two-judge court, obviously you can only try so many jury trials. You have to bring in enough jurors to take care of your calendar which means a jury operating, possibly two juries operating in each courtroom at the same time because as soon as the one gets out to deliberate, you must immediately swear in the next jury so that we can proceed hoping that the jury that has gone out will reach a decision before we have to use the jury deliberation room for the second jury. So far it has worked out. So having someone come to us to try a case for us really would not help us particularly. It is helpful during vacation periods, during periods of sickness, and things of this kind. But our problem is not one so much of manpower as it is one of physical facilities. If we have the physical facilities, then we will use whatever manpower we can put on. This is because our district is a small district of 250,000 people with a two-judge courthouse. If our district were a district of eight judges, three courthouses, we would use that too.

The point is, for example, in Downey they have three courtrooms, two of them are used almost all the time. One is empty a great deal of the time because they are either on assignment or a judge is on vacation. If part of the attention we are giving to appointment to fill vacancies, were on the basis of how many courtrooms are available, we are going to consolidate a district figuring judges' vacation time, figuring sickness factors and things of this kind, there would be no reason that we couldn't have an extra chamber some place and use fewer courtrooms because a judge is not able to be on the bench ten hours a day every day and yet the facilities are there to be used. We talked about utilization of school houses. Certainly we should utilize our courthouses also. This doesn't mean you have to have all this money invested in the physical plant; invest the money in the judges to operate the physical plant. Those are just two or three of the things I wanted to say. I would like to allow Judge Donnellan to say a word.

CHAIRMAN WILLSON: Delighted. Thank you very much.

Twice now, judges have mentioned the jurors and this may not be completely germane but the Chairman hates to have all these fine judges before our Committee and not ask them this question. So I will hazard a question. You mentioned jurors being outside. When you are in the course of your work and you have a jury trial day and your prospective jurors are there, do you take pleas, criminal pleas in your court?

JUDGE HOFSTETTER: Do you mean in front of the jury panel?

CHAIRMAN WILLSON: Yes.

JUDGE HOFSTETTER: We try to avoid it.

CHAIRMAN WILLSON: When you say you try to avoid it, do you avoid it?

JUDGE HOFSTETTER: Not 100 per cent of the time.

CHAIRMAN WILLSON: Do you allow the prospective jurors to sit in the courtroom and hear your rulings on pleas, in criminal matters particularly. Most of the jury trials are criminal trials, aren't they?

JUDGE HOFSTETTER: Yes. Occasionally, they are in the courtroom but we don't like to have them in the courtroom during this. What our procedure is, we have maybe 60 jurors standing in the hall. There isn't enough room for chairs. They are all summoned for 9:30 because our criminal calendar is called at 9:00. So from 8:30 to 9:00 we take small claims and arraignments and at 9:00 we call the calendar and we feel by 9:30 we will be able to panel the jury. At 9:00 Judge Donnellan calls the calendar, at 9:30 I recess and bring the panel in to my courtroom so they can be seated while the role is taken. Then we ask them to leave so that we can complete the taking of pleas and other business. Occasionally some of them come back in and occasionally they don't leave and we ask them to leave. We try not to have them there and if we know for sure that we are going to have sentencing following the recess we insist that they leave, but we don't police it, to the extent that I could say that absolutely there is never a juror there. Occasionally what will happen, I am sure you realize too, that at the moment you call the first juror and a disposition is reached so the panel is in the room and then I will say to the attorney,"the jury panel is here, I will ask them to leave." And the attorney says, "no, that won't be necessary we wish to change our plea," and so we proceed. The attorney knows that the panel is there, however, but it doesn't happen too often, fortunately.

CHAIRMAN WILLSON: Thank you very much, judge.

JUDGE DONNELLAN: Mr. Chairman members of the Committee, as regards the last question that was asked, my bailiff has instructions to keep all jurors out of the courtroom during arraignments and if I anticipate - well let me put it this way - occasionally there may be someone who comes into a courtroom when a jury is about to be impaneled or is in the process of being impaneled or voir dired and it will appear to be an innocuous matter, to convenience the individual I might attempt to take the arraignment. However, I got my fingers burnt on that just about a month ago and the attorney for the defendant in that case raised the question...as I recollect we were in the course of the trial and I told him that I agreed with him that it possibly could have been prejudicial in view of what developed, but we would see what would happen and the jury found his defendant not guilty so that question wasn't involved in any question of prejudice to the defendant. But, as a matter of general policy and rule, we make every effort to keep the jurors out of the courtroom except for that one thing.

To get to the subject of consolidation, my thoughts on that subject go back to about 1952 at which time I was a Deputy District

Attorney in charge of the East Los Angeles and Whittier area offices. In East Los Angeles they had a terrific criminal calendar. Their jury day was, as I recollect, Friday. But every Friday they would have at least 20 cases set for jury trial and that would create an awful problem for the simple reason that everybody knew you couldn't try 20 jury trials in one or two days. You couldn't continue them all or most of them to the following week or you would have 40. And as a result you would have to make a very close evaluation of the evidence and attempt to make some disposition of the cases. And at that time the thought occurred to me, if only there were some central location where there could be a number of judges available not one day a week but all week to try nothing but jury trials arising in a general area. I see now where there is a possibility of that very thing. Take the Southeast Superior Court District, for example, which includes South Gate, Huntington Park and Whittier. The information I have is that the Superior Court Building when built will have sufficient courtrooms to, perhaps, accomodate three or four municipal courts. If that were so and if those municipal court districts within that superior court district were consolidated I can see no reason why one or two judges from various municipal - former municipal districts - could not be assigned to a central location for the purpose of trying jury trials. Leave at each area location - such as Whittier, South Gate, Huntington Park, Downey - one judge to take care of arraignments, small claims, criminal court trials and matters of that sort. With a situation of that sort there would not be four separate jury panels. There would be one for the municipal court, drawn from the entire area. Another advantage I see to that would be this. In some municipal courts it has been mentioned, Downey for example, has had a judge from time to time sitting pro Tem on the superior court. Probably part of the reason for that there, and in any other court, would be where they attempt to keep a judge busy but due to pleas at the last minute on jury trials they have found that there is a judge with half days off, not that I want to work more than a full day five days a week but it would seem to me that if the plan that I have touched on were in effect, if those four municipal court judges were centrally located for criminal misdemeanor juries, if by chance all the juries went off due to change of plea or what have you, or even if by chance one judge found he had no trials he is in the superior court building, if they had a short cause matter they could simply send it down to him provided there were a provision for a sort of a stand-by superior court pro Tem status for that judge. Of course he would have to keep an eye to the future and not take a case that would tie him up for amonth and there again the municipal court would be in trouble.

So far as election of the various judges is concerned municipal court judges in such a consolidated court district, personally I don't care whether - if there were such a consolidation of the municipal courts whether each judge must be elected from his original area or whether it should be area-wide. I don't think it makes much difference. So far as the home rule argument is concerned, frankly, I don't know what that means. If it means that somebody at home is going to rule the judge then I don't think that should be. Actually a judge, in my opinion, must decide each case on the facts as he sees them regardless of whether he is at home or some place else. So again I say, I don't know what home rule means when applied to that situation.

That's about all the thoughts I have on it offhand.

CHAIRMAN WILLSON: Thank you very much, judge. We appreciate that. Now Let's see we have Mr. Bacon, Mr. Bassie, Don Bercu and Peter F. Matranga. Are all those gentlemen present?

The Committee has a letter from Mr. Matranga and we will accept that and put it in the record.

Is Mr. Bacon here?

Now Mr. Vassie, will you present your statements please. That's the Honorable - let's see you're taking...Mr. Kenneth E. Vassie, Deputy City Attorney, Inglewood. Right?

MR. VASSIE: That's correct sir.

CHAIRMAN WILLSON: Fine.

MR. VASSIE: Mr. Chairman and members of the Committee, Mr. Pierson who was to be here was unable to make it and asked me to make his presentation for him.

The reason for our being here today is really just to present to you additional material which we have acquired since Mr. Pierson appeared before you in Beverly Hills which we felt was significant and which would assist you, perhaps, in determining some of the aspects in this question. It's a very small point and I will be very brief.

In an earlier presentation we expressed our opposition to the bill as it is presently drawn primarily because of the case and judge transfer aspects which were included within it. We felt, and we still do feel, that the provisions for such transfer without standards or limitations in differentiating between criminal and civil, for example, would tend to create a judicial disservice to the public. We indicated in our presentation that we felt that the existing procedure for judge transfer could perhaps be improved and for that reason we opposed the presentation now for judge transfer. However, we felt stronger and we think this is more important about the case transfer aspects of the proposals. The public's contact with the courts for the most part is in a traffic or a misdemeanor court as I am sure you all realize, gentlemen. Since a large quantity of cases involve traffic the public is probably deserving of special attention.

Now a point that has caused some debate in this question of case transfers is where most persons or citizens appearing in a court are residents of the district or otherwise. Now I believe Judge Sprankle before has indicated his survey indicates non-residents constitute the larger group of persons appearing in a district's municipal court. Our informal survey in the Inglewood area has shown the contrary and that most misdemeanor cases involve residents and/or people who work in and around the judicial district. I might add that to exclude from this type of a survey persons who do not work in the area - rather who work in the area - causes or overlooks important circumstances. Persons who work in the area achieve or rather help themselves a great deal, of course, in having a local court in which they can take care of their traffic tickets and other matters. It is also true, however, that some areas would differ statistically. Beverly Hills, for example, might well show a majority of non-residents. Beverly Hills, as I am sure you realize, is a unique situation. It's a hard thing for east-west traffic to avoid Beverly Hills.

A survey in the Inglewood Judicial District was made just recently at the direction of the Presiding Judge, Judge Burch Donahue, and these figures were furnished to me by the court and I think this is what the Committee might be interested in. This is a survey of samples of citizen appearances in the court - in the Inglewood Judicial Court.

MISDEMEANORS: Out of a total sampling of 170 cases are misdemeanor cases. We found that 100 persons resided in or worked in the judicial district. The remaining 70 resided or worked outside the district. In intoxication type of cases we found that 86 resided in or worked in and around the district - 59 outside. In moving traffic violations, we found that 57 resided in or worked in the local judicial district and 63 outside. In small claims, we took a sampling of 130 cases which breaks down to 260, if you figure both plaintiff and defendant and the figures for those are these:

For plaintiffs we found that 79 plaintiffs in small claim actions resided or worked in the judicial district and 51 plaintiffs resided outside. We found that 72 defendants resided in or worked in the district and 58 outside. Now, that divided a total of 695 cases - 394 persons or citizens worked or resided in the district and 301 outside.

I believe, gentlemen, those figures do differ substantially with the other figures that you were furnished with by Judge Sprankle and the proponents of this particular bill.

We don't have any solution for this particular dilemma. We do say, however, that since a controversy does exist regarding these surveys as to whether a person is inside the district or outside the district and his contact with the judicial district we thought that perhaps a survey should be caused to be brought about by an appropriate body, with certain rules, with certain scope and certain application so that an official and objective and comprehensive determination can be made on this question.

In essence, we feel that the trouble it would cause witnesses and parties who in many cases lose money because of their appearance in court is an objective that is so important that it can't be overlooked and we feel that the case transfer aspects in this area should be carefully scrutinized by the Committee. Thank you very much, Assemblymen.

CHAIRMAN WILLSON: Thank you very much, Mr. Vassie. We appreciate your appearance.

Mr. Don Bercu, City Attorney of Alhambra.

Now is there anyone else in the audience who wanted to be heard at this time.

I would like to ask Judge Sprankle this question if I may. Judge Sprankle, do you have any opinion with reference to the consensus of opinion among the municipal court judges in the association with respect to their feelings about combining the municipal court and the superior court into one court?

JUDGE SPRANKLE: I have a feeling but I have no statistics to back it up.

JUDGE SMITH from audience: I have the last three votes, I think, here if you really want to know what they voted on the last three times this came up before them.

JUDGE SPRANKLE: I don't believe this question that you asked has ever come up...

JUDGE SMITH from audience: Oh, you mean one court?

CHAIRMAN WILLSON: One court.

JUDGE SMITH from audience: That hasn't come up since...

JUDGE SPRANKLE: Since Walters.

JUDGE SMITH from audience: Since walters brought it up about ten or eleven years ago. At that time it was unanimous. Everybody wanted to go to the superior court except me.

CHAIRMAN WILLSON: It's somewhat of a self-serving question to ask that, I suppose, but as Judge Hofstetter pointed out, maybe this is going to come I don't know. On the other hand, is it fair to say that the federal court would be a good analogy? Doesn't the federal district court hear everything from the small matter to the very serious matter?

JUDGE SPRANKLE: This is an argument that is commonly given...

CHAIRMAN WILLSON: Is that right?

JUDGE SPRANKLE: It's an example of how it could work. And there are many of us who feel that it might have a tremendous advantage.

I see no reason for discarding this possibility at all and I might suggest to you that the Special Study Commission on Judicial Procedures, a Commission appointed by the board of supervisors at its last regular meeting, voted unanimously to make this their next item of study. They have been sending to you many recommendations, including the one you are to consider tomorrow reducing the number of jurors. But this now is their next major study - it's combining both courts again.

CHAIRMAN WILLSON: Very good. Any questions, gentlemen? I would like to, on behalf of the Committee, thank you, Judge Sprankle, particularly, and the entire group that has been working in addition to the work you have done here before the Committee in trying to come up with some suggestions.

JUDGE SPRANKLE: I wonder if I might just make one observation. I notice that no one has made any in connection with it today but a lot of people have referred to the constitutional amendment that would provide a breaking down of the county into municipal court districts similar to the superior court districts. And I would like to point out to everyone that this probably is not feasible, at least from a practical standpoint. If you just take a look at the map of the superior court districts and take a look at what would happen to the central judicial district and then look back at the other map as to what Los Angeles now is, it means that you break Los Angeles up into a very small district having 49 judges, the question would then be where do these judges belong? The majority of them live outside of the superior court central judicial district. Where would they be elected from? What effect would their residence have as to what judicial district they would belong to? These problems are immediately opposed by the judges of the central judicial district of Los Angeles now and they would not consent to any such program under any circumstances, I am sure. I have talked to a number of them and you immediately would reduce the election population for them. This would be one obvious objection that they would have over the present situation. And I suggest to you that from a practical standpoint this is an impossible answer to those who make it. A much simpler one is that you can overcome this hurdle of the electability of judges if you are willing to equate all of the advantages of some consolidation as against the election of judges on a county-wide basis. And you say, well for all the advantages we will elect our judges county-wide. Then you can immediately form one judicial district county-wide and then you can immediately thereafter break it down into branch courts which would be identical with the nine superior court districts or any other or for a period of time until you grow into it until you are satisfied you could break it down into the 23 that we now have, or 28 including the various branches of the Los Angeles court, and grow from there on a branch basis. But it can be easily done, all the things we want to accomplish, if you can overcome this one hurdle of the electability of judges. If you can solve that one - if you're willing to face up to that-the rest of it should be easy for you, in my opinion.

CHAIRMAN WILLSON: Thank you, Judge Sprankle. I wonder if you would like to, just very briefly, in a summary fashion mention some of the areas of improvement that you think need attention in the overall plan. For example, we have already mentioned economy. We have mentioned the usage of judicial manpower and transferability of cases to accelerate and so forth. Would you care, sir, to sort of summarize that for the record?

JUDGE SPRANKLE: Well I think Mr. Horwin did that this morning in subdivision two of his consensus of the opinion of our committee that has been working on this, including your counsel. But in addition to the assignment of cases and the assignability of judges there would be, in my opinion, tremendous advantage on an overall administrative arrangement for the county in establishing uniform court rules which were referred to this morning, convenience to counsel and to litigants. There could be a uniform bail schedule without any question having its applicability and administration on a county-wide basis. We could establish a county-wide traffic indexing system that could function and would be administered on a county-wide basis. With the same indexing system it would be possible to abstract all the traffic citations in one central machine functioning enterprise. It would, in my opinion, be a tremendous saving to the taxpayers and to the clerks who have to do this manually. This same machine, it is conceivable, could print up indexes - not only on traffic matters - but for small claims and many other types of actions for one large district.

It is conceivable that we could very quickly have uniform court rules so far as the employees are concerned, the attaches for vacations, sick leave benefits and all of these various ramifications where we do differ from one court to the other. It is possible that we could work out a uniform selection of trial jurors with roving commissioners or a commissioner who could service each of the courts or each of the areas. These are matters that the judges as a whole could determine. It is conceivable that we could have, much easier, a jury instruction system that could be adopted and worked on on a county-wide basis. Now these things we are trying to achieve on a voluntary basis but this is a most difficult thing to get all of the judges to agree. We have 23 presiding judges who are so loosely knit. It's a voluntary organization. You have no one who has the time nor the staff nor the equipment to do it. We have no budget of any sort excepting that which the judges contribute voluntarily. We have no staff other than the secretary of our association who is paid but this is on a basis of doing work for the judges in connection with their other problems.

In my opinion, there would be tremendous administrative advantages by our court and also breaking it down immediately into nine or some such other districts as could be agreed upon by the judges and the supervisors and the cities.

CHAIRMAN WILLSON: Thank you very much, Judge Sprankle. I believe Assemblyman Alfred Song has a question.

MR. SONG: Yes, judge, do you have any opinion about the position advanced by certain jurisdictions that aside from the question of convenience to litigants and witnesses which I think is an important consideration, is there anything particularly sacrosanct about having one's case tried in one's own court - so to speak? Do you consider this argument has any validity at all?

JUDGE SPRANKLE: No I don't. I think it's a convenience to him, a convenience to his witnesses, a convenience to the city's witnesses the police officers, are matters of concern and this would be considered but as to having his case tried in his own court, if I understand you correctly, as to a judge who may be assigned in from another district or from up north, I don't think there is anything particularly sacrosanct about that. I believe any of the judges are competent or should be to render a fair, just decision and that they will regardless of who is judge.

MR. SONG: In other words, isn't this the essence of our system of justice that this has to be impartial and objective?

JUDGE SPRANKLE: I would hope so.

MR. SONG: And this is not necessarily going to be the case if the judge is the adjoining neighbor to the party who is being tried.

JUDGE SPRANKLE: It would be less of a possibility, in my opinion.

MR. SONG: Let me ask you this. Judge Smith apparently disagrees with you concerning the economy factor. Isn't it true that under the proposed consolidation plan all existing facilities are going to be retained and used?

JUDGE SPRANKLE: This is the plan.

MR. SONG: So there would be no particular savings there.

JUDGE SPRANKLE: That's right.

MR. SONG: It's also true that all of the existing staff would be retained.

JUDGE SPRANKLE: This is true.

MR. SONG: In addition to that, by virtue of the creation of an administrative corps for each of the nine districts, I assume that more staff would have to be hired.

JUDGE SPRANKLE: This is true.

MR. SONG: So instead of a decrease in cost there would be an increase in this sense.

JUDGE SPRANKLE: Immediately.

MR. SONG: Yes. Now I would assume that you propose a long-range economy in that less judges would have to be hired immediately.

JUDGE SPRANKLE: This would be my view.

MR. SONG: But, in the long run considering the Citrus area that Judge Johnson comes from where the population is boomeranging constantly the fact is inevitable that more judges will have to be hired.

JUDGE SPRANKLE: There is no question about it.

MR. SONG: Now I am trying to determine in my own mind just whether or not, because Judge Smith seems to be such a firm advocate against any form of consolidation, as to whether or not the proposed improvements are really just theoretical or whether or not the administration of justice is actually going to be served and that economy is actually going to be effected.

JUDGE SPRANKLE: Assemblyman Song I am not sure that anyone can stand here and predict with certainty that economy will result, but I would suggest to you that you might consider another side of the coin than the one Judge Baida referred to this morning and that is the marshal's office. We went through exactly the same kind of a transition. There were more personnel added, there were more costs added and it became more expensive and you can show statistically that there is 300 and some odd per cent increase in budget over the time when the office was created. But I think likewise there is not more than one or two judges out of the entire county who would deny that it is now one of the most efficient branches of our county government. Extremely efficient, well run and serving the lawyers better than they have ever been served before, and the people. I don't think anyone will deny this and I think the county administrative staff will say this now has become an extremely efficient operation. Sure, some of this brass was there for a few years but attrition has taken them out and it has solved itself which I hope would happen in the consolidation of the courts and these problems do iron themselves out and it has become, in the marshal's office, in my opinion, and it is shared by many others, a most efficient system. Now growth and the case load and the type of cases that have been assigned to them to handle have required more staff and you can show that they have increased their budget to take care of this increased case load but if they hadn't done it the sheriff's office would have had to serve more civil processes. They have taken over the bulk of the civil process in Los Angeles County. And all the lawyers that I have talked to say they are doing a tremendously fine job. You can prove a lot of things with these statistics but those of us who are working with it, I believe, are extremely well pleased with the operation of the marshal's office. It has been a definite improvement.

MR. SONG: I thank you.

CHAIRMAN WILLSON: Thank you very much, Judge Sprankle.

John R. Leach, Assistant Chief Administrative Officer of the County of Los Angeles, we want to thank you for standing by. You may have a comment to make. If you do this would be the time.

MR. LEACH: I have some figures on the marshal's office I will leave with Bernie. I'll have to say with respect to the marshal's office that I think Baida's comparison this morning was without foundation and the facts will show, of course, that we started off with the former eight marshals for the eight existing municipal courts. Then when we had the inferior court reorganization, members of the Committee, we did unify the marshal's activities under one marshal instead of each of these 23 districts having it's own separate department head marshal. And as a result, of course, when the whole county came under municipal court jurisdiction and the marshal had to take over all the process serving there was a vast increase in cost from just eight marshals serving eight cities only before to a marshal serving the whole county. And it's not fair to say that consolidation caused the increase. Because at the same time the sheriff who formerly had 23 constables serving the township courts which were eliminated this was a reduction, of course, in his budget. So just to look at the marshal alone is not quite fair. You have to look at another county budget. I have figures here for the last ten years which show actually that the net cost, this is including the revenue the marshal gets, applied against his process serving cost - the net cost per paper served in the marshal's office in 1953-54 was $1.52 and today-ten years later - it is $1.28, which is pretty good if you consider the fact that in ten years the costs, salary costs, rate of pay and so forth has probably gone - well it has doubled I am sure, although I don't have that fact. Obviously it's a big increase. So, even then with the increased cost of doing business the actual dollar cost of serving a paper now is less than it was ten years ago. It is an efficient office.

CHAIRMAN WILLSON: I would be happy to receive those figures, Mr. Leach. On behalf of the Committee, I want to thank the judges, the attorneys and all persons who testified and this will conclude our hearings at this time on consolidation. We have Fred Sharp, the City Manager of Pomona. Fred, what about you? Do you want to say anything?

MR. SHARP: No thanks, Mr. Willson, I do appreciate the opportunity of being here with the Committee. It's a wonderful feeling to have such a fine Committee come down here and listen to some of our problems. I want to express, personally, on behalf of our City the appreciation for you gentlemen taking your time in doing this for all of us. Thank you.

CHAIRMAN WILLSON: Thank you very much. I would like to say that tomorrow at 10 o'clock we are going to meet on another subject matter in another very fine city, Monterey Park. I haven't seen it lately so Assemblyman Song I am looking forward to seeing how Monterey Park looks now and that will commence at 10 o'clock and we are going to consider a bill regarding a possible change in the number of jurors in civil matters. There was a bill put in to reduce the number of jurors from twelve to eight, a mandatory bill, and I think that is a very important subject matter and it has also been suggested on the ground that it might save a lot of money so we want to look into it and see whether it is going to maintain justice and maintain our jury system before we make any changes, I am sure. But that will be the subject matter and Assemblyman Song is from that city and we are looking forward to our opportunity to meet there.

Is there any comment by any member of the Committee? We'll close our meeting with a word or two from our host, and again, before I introduce Harvey I want to say thank you on behalf of the Committee and the staff and all present for the fine hospitality here in this beautiful City of El Monte. I am taking home with me a brochure on your city that I got which I think is very nice and certainly your Chamber of Commerce is on the job and thank you again on behalf of all of us. Assemblyman Harvey Johnson, vice chairman.

MR. JOHNSON: Thank you, Chairman Willson. I just wanted to again extend, on behalf of the Chamber of Commerce, the invitation to dinner to the members of the Committee and staff at the Golden Rooster Restaurant in El Monte and I have some directions here for those who want to drive and we were advised at noon that the social hour will start at 4:30. We are already a little bit late, so they will be waiting for you as soon as you can get there. We would like to have all of you come and we do appreciate your coming to our city. That's all, Mr. Willson.

CHAIRMAN WILLSON: The meeting is adjourned.

SUMMARY OF FILINGS
LOS ANGELES COUNTY MUNICIPAL COURTS

1959-60

Court	No. Judicial Officers	Traffic		Parking		Misdemeanor		Small Claims		Civil		Felony		Total		Total Minus Traffic & Parking	
		Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Filings	No. Per Judicial Officer	Filings	No. Per Judicial Officer
Alhambra	2	26,257	13,129	26,362	13,181	2,024	1,012	2,078	1,039	1,235	618	286	143	58,242	29,121	5,623	2,812
Antelope	1	8,889	8,889	1,111	1,111	929	929	1,309	1,309	476	476	148	148	12,862	12,862	2,862	2,862
Beverly Hills	2	28,487	14,244	59,401	29,701	1,197	599	1,050	525	3,804	1,902	224	112	94,163	47,082	6,275	3,138
Burbank	2	32,711	16,356	27,764	13,882	1,118	559	1,076	538	681	341	173	87	63,523	31,762	3,048	1,524
Citrus	2	33,490	16,745	4,848	2,424	3,051	1,526	2,591	1,296	1,835	918	418	209	46,233	23,117	7,895	3,948
Compton	3J,1C	47,501	11,875	9,038	2,260	5,630	1,408	3,354	839	1,657	414	793	198	67,973	16,993	11,434	2,859
Culver	1	10,222	10,222	11,175	11,175	694	694	516	516	312	312	107	107	23,026	23,026	1,629	1,629
Downey	2	38,347	19,171	4,187	2,094	2,076	1,038	2,513	1,257	1,093	547	272	136	48,488	24,244	5,954	2,977
East L. A.	3	39,012	13,004	11,085	3,695	4,170	1,390	1,729	580	542	181	503	168	57,041	19,014	6,944	2,315
El Monte	2J,1C	31,121	10,374	7,539	2,513	3,033	1,011	1,752	584	1,018	339	337	112	44,800	14,933	6,140	2,047
Glendale	2	24,851	12,426	25,698	12,849	1,885	943	1,566	783	1,050	525	224	112	55,274	27,637	4,725	2,363
Inglewood	2J,1C	39,521	13,174	46,942	15,647	3,427	1,142	1,736	579	1,321	440	861	287	93,808	31,269	7,345	2,673
Long Beach	5	56,842	11,368	92,805	18,561	11,853	2,371	4,020	804	4,345	869	1,090	218	170,955	34,191	21,308	4,262
Los Cerritos	2	24,366	12,183	9,931	4,966	1,444	722	1,821	911	1,193	597	178	89	38,933	19,467	4,636	2,318
Pasadena	3	39,539	13,180	40,433	13,478	3,774	1,258	2,857	952	1,566	533	572	191	88,741	29,580	8,769	2,923
Pomona	1	17,448	17,448	12,806	12,806	1,696	1,696	1,724	1,724	1,061	1,061	145	145	34,880	34,880	4,626	4,626
San Antonio	3J,1C	39,067	9,767	43,167	10,792	7,324	1,831	1,907	477	2,068	517	541	135	94,074	23,519	11,840	2,960
Santa Anita	1	12,059	12,059	3,355	3,355	1,282	1,282	1,019	1,019	705	705	149	149	18,569	18,569	3,155	3,155
Santa Monica	2	22,489	11,245	79,467	39,734	4,134	2,067	1,568	784	1,336	668	316	158	109,310	54,655	7,354	3,677
South Bay	3	45,256	15,085	62,701	20,900	4,438	1,479	3,352	1,117	1,724	575	621	207	118,092	39,364	10,135	3,378
South Gate	1	17,486	17,486	6,974	6,974	1,763	1,763	596	596	401	401	251	251	27,471	27,471	3,011	3,011
Whittier	2	32,371	16,186	17,215	8,608	1,755	878	1,658	829	762	381	186	93	53,947	26,974	4,361	2,181
Total	47J,4C																
Total, 22 Cts.		667,332		604,004		68,697		41,792		30,185		8,395		1,420,405		149,069	
High			19,171		39,734		2,371		1,724		1,902		287		54,655		4,626
Low			8,889		1,111		559		477		181		87		12,862		1,524
Average			13,085		11,843		1,347		820		592		165		27,851		2,923
Los Angeles	42J,5C	610,99[illegible]	13,000	686,964	14,616	129,515	2,756	54,116	1,151	84,497	1,798	11,432	243	1,577,520	33,564		
GRAND TOTAL	89J,9C	1,27[illegible]28	13,044	1,290,968	13,173	198,212	2,023	95,908	979	114,682	1,170	19,827	202	2,997,925	30,591		

JHC:ad
11/21/63

SUMMARY OF DISPOSITIONS
LOS ANGELES COUNTY MUNICIPAL COURTS

1959-60

		Traffic		Parking		Misdemeanor		Small Claims		Civil		Felony		Total		Total Minus Traffic and Parking	
Court	No. Judicial Officers	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Dispositions	No. Per Judicial Officer	Dispositions	No. Per Judicial Officer
Alhambra	2	25,011	12,506	25,748	12,874	2,179	1,090	1,618	809	874	437	220	110	55,650	27,825	4,891	2,446
Antelope	1	8,820	8,820	1,217	1,217	837	837	1,087	1,087	324	324	130	130	12,415	12,415	2,378	2,378
Beverly Hills	2	27,158	13,579	57,181	28,591	1,613	807	885	443	2,548	1,274	179	90	89,564	44,782	5,225	2,613
Burbank	2	32,406	16,203	25,979	12,990	983	492	885	443	504	252	147	74	60,904	30,452	2,519	1,260
Citrus	2	34,926	17,463	4,507	2,254	3,114	1,557	2,078	1,039	1,207	604	358	179	46,190	23,095	6,757	3,379
Compton	3J,1C	46,287	11,572	8,023	2,006	5,446	1,362	2,380	595	1,100	275	705	176	63,941	15,985	9,631	2,408
Culver	1	10,151	10,151	10,564	10,564	716	716	357	357	232	232	98	98	22,118	22,118	1,403	1,403
Downey	2	36,050	18,025	3,489	1,745	2,013	1,007	1,797	899	774	387	244	122	44,367	22,184	4,828	2,414
East Los Angeles	3	35,641	11,880	9,412	3,134	4,302	1,434	1,209	403	398	133	458	153	51,420	17,173	6,367	2,122
El Monte	2J,1C	28,276	9,425	6,762	2,254	2,754	918	1,417	472	600	200	325	108	40,134	13,378	5,096	1,365
Glendale	2	24,421	12,211	25,864	12,932	1,845	923	1,251	626	752	376	178	89	54,311	27,156	4,026	2,013
Inglewood	2J,1C	41,889	13,963	42,719	14,240	2,647	882	1,306	435	926	309	763	254	90,250	30,083	5,642	1,544
Long Beach	5	63,834	12,767	73,484	14,697	11,506	2,301	3,554	711	3,306	661	985	197	156,669	31,334	19,351	3,870
Los Cerritos	2	22,850	11,425	9,083	4,542	1,317	659	1,239	620	775	388	139	70	35,403	17,702	3,470	1,735
Pasadena	3	39,825	13,275	39,895	13,298	3,723	1,241	1,937	646	1,167	389	428	143	86,975	28,992	7,255	2,418
Pomona	1	16,819	16,819	11,624	11,624	1,669	1,669	1,054	1,054	704	704	141	141	32,011	32,011	3,568	3,568
San Antonio	3J,1C	41,554	10,389	39,572	9,893	5,489	1,372	1,647	412	1,550	388	443	111	90,255	22,564	9,129	2,282
Santa Anita	1	12,295	12,295	3,233	3,233	1,266	1,266	882	882	498	498	141	141	18,315	18,315	2,787	2,787
Santa Monica	2	20,197	10,099	78,152	39,076	4,624	2,312	1,293	647	797	399	278	139	105,341	52,671	6,992	3,496
South Bay	3	46,098	15,366	61,954	20,651	4,595	1,532	2,418	806	1,237	412	498	166	116,800	38,933	8,748	2,916
South Gate	1	17,197	17,197	6,871	6,871	2,142	2,142	492	492	282	282	228	228	27,212	27,212	3,144	3,144
Whittier	2	30,181	15,091	17,190	8,595	1,856	928	1,160	580	617	309	162	81	51,166	25,583	3,795	1,898
Total 22 Courts	47J,5C	661,886		562,523		66,636		31,946		21,172		7,248		1,351,411		127,002	
High			18,025		39,076		2,312		1,087		1,274		254		52,671		3,870
Low			8,820		1,217		659		357		133		70		12,415		1,260
Average			12,978		11,030		1,307		626		415		142		26,498		2,490
Los Angeles	42J,5C	598,791	12,740	640,156	13,620	127,478	2,712	43,630	928	64,190	1,366	10,337	220	1,484,582	31,587		
Grand Total	89J,9C	1,260,677	12,864	1,202,679	12,272	194,114	1,981	75,576	771	85,362	871	17,585	179	2,835,993	28,939		

JHC:bw
11/20/63

SUMMARY OF FILINGS
LOS ANGELES COUNTY MUNICIPAL COURTS

1960-61

Court	No. Judicial Officers	Traffic		Parking		Misdemeanor		Small Claims		Civil		Felony		Total		Total Minus Traffic and Parking	
		Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Filings	No. Per. Judicial Officer	Filings	No. Per. Judicial Officer
Alhambra	2	30,005	15,003	18,078	9,039	1,899	950	2,087	1,044	1,237	619	309	155	53,615	26,808	5,532	2,766
Antelope	1	11,917	11,917	1,445	1,445	823	823	1,122	1,122	407	407	137	137	15,851	15,851	2,489	2,489
Beverly Hills	2	25,848	12,924	76,619	38,310	998	499	1,446	723	5,298	2,649	258	129	110,467	55,234	8,000	4,000
Burbank	2	31,432	15,716	41,322	20,661	959	430	1,301	651	776	388	181	91	75,971	37,986	3,217	1,609
Citrus	3	35,456	11,819	6,181	2,060	2,995	998	3,958	1,319	1,880	627	482	167	50,952	16,984	9,315	3,105
Compton	3J,1C	51,943	12,986	11,150	2,788	5,320	1,330	4,309	1,077	1,781	445	990	268	75,493	18,873	12,400	3,100
Culver	1	10,915	10,915	11,706	11,706	842	842	514	514	333	333	127	127	24,437	24,437	1,816	1,816
Downey	2	40,512	20,256	5,737	2,869	2,027	1,014	3,399	1,700	1,332	666	346	173	53,353	26,677	7,104	3,552
East Los Angeles	3	40,950	13,650	8,345	2,782	4,284	1,428	2,628	876	494	165	683	228	57,384	19,125	8,089	2,696
El Monte	2J,1C	30,259	10,086	6,899	2,300	3,450	1,150	2,090	697	1,029	343	390	130	44,117	14,706	6,959	2,320
Glendale	2	23,205	11,603	23,459	11,730	1,789	895	1,777	889	959	480	229	115	51,418	25,709	4,754	2,377
Inglewood	2J,1C	39,007	13,002	47,202	15,734	2,465	822	1,839	613	1,395	465	1,030	343	92,938	30,979	6,729	2,243
Long Beach	5J,1C	53,704	8,951	94,245	15,708	11,510	1,918	4,329	722	4,575	763	1,055	176	169,418	28,236	21,469	3,578
Los Cerritos	2	31,626	15,813	8,787	4,394	1,649	825	2,264	1,132	1,121	561	232	116	45,679	22,840	5,266	2,633
Pasadena	3	39,522	13,174	43,414	14,471	4,045	1,348	3,037	1,012	1,516	505	675	225	92,209	30,736	9,273	3,091
Pomona	1	16,762	16,762	14,170	14,170	1,639	1,639	1,846	1,846	947	947	192	192	35,556	35,556	4,624	4,624
San Antonio	3J,1C	38,297	9,574	38,987	9,747	6,443	1,611	1,867	467	1,961	490	640	160	88,195	22,049	10,911	2,728
Santa Anita	1	10,677	10,677	2,739	2,739	1,342	1,342	1,104	1,104	719	719	214	214	16,795	16,795	3,379	3,379
Santa Monica	2	23,190	11,595	93,644	46,822	3,183	1,592	1,780	890	1,132	566	369	185	123,298	61,649	6,464	3,232
South Bay	3	43,195	14,398	55,485	18,495	4,681	1,560	4,080	1,360	1,670	557	778	259	109,889	36,630	11,209	3,736
South Gate	1	15,930	15,930	6,997	6,997	1,748	1,748	661	661	427	427	239	239	26,002	26,002	3,075	3,075
Whittier	2	29,200	14,600	6,178	3,089	1,850	925	3,099	1,550	943	472	215	108	41,485	20,743	6,107	3,054
Total 22 Cts.	48J,5C	673,552		622,789		65,941		50,537		31,932		9,771		1,454,522		158,181	
High			20,256		46,822		1,918		1,846		2,649		343		61,649		4,624
Low			8,951		1,445		430		467		165		91		14,706		1,609
Average			12,709		11,751		1,244		954		603		184		27,444		2,985
Los Angeles	42J,5C	626,585	13,332	742,759	15,803	120,425	2,562	63,487	1,351	90,635	1,928	12,113	258	1,656,004	35,234		
Grand Total	90J,10C	1,300,137	13,001	1,365,548	13,656	186,366	1,864	114,024	1,140	122,567	1,226	21,884	219	3,110,526	31,105		

JHC:pc
11/21/63

SUMMARY OF DISPOSITIONS
LOS ANGELES COUNTY MUNICIPAL COURTS

1960-61

Court	No. Judicial Officers	Traffic		Parking		Misdemeanor		Small Claims		Civil		Felony		Total		Total Minus Traffic and Parking	
		Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Dispositions	No. Per Judicial Officer	Dispositions	No. Per Judicial Officer
Alhambra	2	29,080	14,540	18,164	9,082	1,924	962	1,646	823	911	456	274	137	51,999	26,000	4,755	2,378
Antelope	1	10,632	10,632	1,473	1,473	836	836	931	931	276	276	119	119	14,267	14,267	2,162	2,162
Beverly Hills	2	25,742	12,871	71,406	35,703	1,419	710	1,178	589	3,372	1,686	233	117	103,350	51,675	6,202	3,101
Burbank	2	31,330	15,665	41,727	20,864	900	450	1,059	530	499	250	135	68	75,650	37,825	2,593	1,297
Citrus	3	35,718	11,906	5,786	1,929	3,212	1,071	2,872	957	1,467	489	392	131	49,447	16,482	7,943	2,644
Compton	3J,1C	48,146	12,037	10,918	2,730	5,191	1,048	3,123	781	1,167	292	874	219	69,419	17,355	10,355	2,589
Culver	1	10,763	10,763	11,428	11,428	856	856	384	384	225	225	116	116	23,772	23,772	1,581	1,581
Downey	2	38,050	19,025	5,491	2,746	2,055	1,028	2,528	1,264	902	451	315	158	49,341	24,671	5,800	2,900
East L. A.	3	41,969	13,990	8,922	2,974	3,898	1,299	1,948	649	360	120	579	193	57,676	19,225	6,785	2,262
El Monte	2J,1C	30,362	10,121	6,489	2,163	3,185	1,066	1,643	548	707	236	375	125	42,761	14,254	5,910	1,970
Glendale	2	22,712	11,356	23,069	11,535	1,705	853	1,376	688	569	285	207	104	49,638	24,819	3,857	1,929
Inglewood	2J,1C	37,358	12,479	47,366	15,789	2,395	798	1,460	487	988	329	960	320	90,527	30,176	5,803	1,601
Long Beach	5J,1C	62,060	10,343	80,444	13,407	11,064	1,844	4,028	671	3,503	584	961	160	162,060	27,010	19,556	3,259
Los Cerritos	2	29,357	14,679	8,260	4,130	1,693	847	1,861	931	726	363	198	99	42,095	21,048	4,478	2,239
Pasadena	3	39,536	13,179	41,536	13,845	3,729	1,243	2,009	670	1,160	387	554	185	88,524	29,508	7,452	2,451
Pomona	1	16,506	16,506	14,609	14,609	1,749	1,749	1,267	1,267	756	756	168	168	35,055	35,055	3,940	3,940
San Antonio	3J,1C	37,294	9,324	36,654	9,164	5,564	1,391	1,426	357	1,398	350	578	145	82,914	20,724	8,966	2,242
Santa Anita	1	10,092	10,092	2,455	2,455	1,297	1,297	986	986	525	525	184	184	15,539	15,539	2,992	2,992
Santa Monica	2	21,301	10,651	91,657	45,829	3,434	1,717	1,287	644	830	415	339	170	118,848	59,424	5,890	2,945
South Bay	3	42,606	14,202	55,659	18,553	4,640	1,547	3,360	1,120	1,209	403	704	235	108,178	36,059	9,913	3,304
South Gate	1	14,550	14,550	7,202	7,202	1,963	1,963	514	514	558	558	213	213	25,000	25,000	3,248	3,248
Whittier	2	28,869	14,435	6,128	3.064	1,843	922	2,478	1,239	701	351	201	101	40,220	20,110	5,223	2.612
Total	48J,5C																
Total, 22 Cts.		664,033		596,843		64,552		39,364		22,809		8,679		1,396,280		135,404	
High			19,025		45,829		1,963		1,267		1,686		320		59,424		3,940
Low			9,324		1,473		450		357		120		68		14,254		1,297
Average			12,529		11,261		1,218		743		430		164		26,345		2,555
Los Angeles	42J,5C	603,361	12,838	666,254	14,176	111,573	2,374	49,792	1,059	62,940	1,339	10,683	227	1,504,603	32,013		
GRAND TOTAL	90J,10C	1,267,394	12,674	1,263,097	12,631	176,125	1,761	89,156	892	85,749	858	19,362	194	2,900,883	29,009		

JHC:ad
11/20/63

SUMMARY OF FILINGS
LOS ANGELES COUNTY MUNICIPAL COURTS

1961-62

		Traffic		Parking		Misdemeanor		Small Claims		Civil		Felony		Total		Total Minus Traffic and Parking	
Court	No. Judicial Officers	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No. Per Judicial Officer	Total	No.Per Judicial Officer	Filings	No. Per Judicial Officer	Filings	No. Per Judicial Officer
Alhambra	2	28,928	14,464	18,431	9,216	2,069	1,035	2,219	1,110	1,137	569	299	150	53,083	26,542	5,724	2,862
Antelope	1	15,856	15,856	1,738	1,738	868	868	1,036	1,036	420	420	126	126	20,044	20,044	2,450	2,450
Beverly Hills	2	28,731	14,366	82,647	41,324	1,333	667	1,632	816	6,259	3,130	338	169	120,940	60,470	9,562	4,781
Burbank	2	32,476	16,238	39,056	19,528	1,241	621	1,164	582	794	397	163	82	74,894	37,447	3,362	1,681
Citrus	3	36,034	12,011	7,253	2,418	2,721	907	5,124	1,708	2,003	668	508	169	53,643	17,881	10,356	3,452
Compton	3J,1C	53,329	13,332	14,543	3,636	5,592	1,398	4,953	1,238	1,898	477	883	221	81,198	20,300	13,326	3,332
Culver	1	9,902	9,902	13,312	13,312	729	729	569	569	349	349	134	134	24,995	24,995	1,781	1,781
Downey	3	46,594	15,531	7,267	2,422	2,046	682	3,026	1,009	1,464	488	384	128	60,781	20,260	6,920	2,307
East L.A.	3	40,242	13,414	7,654	2,551	5,506	1,835	2,722	907	577	192	591	197	57,292	19,097	9,396	3,132
El Monte	2J,1C	31,641	10,547	6,628	2,209	2,914	971	2,540	880	1,039	346	410	136	45,172	15,057	6,903	2,301
Glendale	2	22,001	11,001	22,945	11,473	1,664	832	2,042	1,021	943	472	214	107	49,809	24,905	4,863	2,432
Inglewood	2J,1C	36,017	12,006	49,713	16,571	2,708	903	2,116	705	1,545	515	1,227	409	93,326	31,109	7,596	2,532
Long Beach	6J,1C	52,807	7,544	96,456	13,779	12,244	1,749	4,455	635	4,859	694	1,215	174	172,036	24,577	22,773	3,253
Los Cerritos	2	35,305	17,653	7,398	3,699	1,570	785	2,351	1,176	1,110	555	220	110	47,954	23,977	5,251	2,626
Pasadena	3	39,615	13,205	31,595	10,532	4,155	1,388	3,172	1,057	1,559	520	708	236	80,804	26,935	9,594	3,198
Pomona	2	19,024	9,512	14,980	7,490	1,561	781	2,423	1,212	760	380	244	122	38,992	19,496	4,988	2,494
San Antonio	3J,1C	37,090	9,273	38,472	9,618	4,898	1,225	2,567	642	1,756	439	710	178	85,493	21,373	9,931	2,483
Santa Anita	1	10,823	10,823	2,488	2,488	1,270	1,270	1,188	1,188	642	642	162	162	16,573	16,573	3,262	3,262
Santa Monica	2	27,720	13,860	83,659	41,830	2,964	1,482	1,936	968	1,254	627	399	200	117,932	58,966	6,553	3,277
South Bay	3	41,574	13,858	60,130	20,043	4,904	1,635	3,932	1,311	1,826	609	624	208	112,990	37,663	11,286	3,762
South Gate	1	15,731	15,731	6,741	6,741	1,533	1,533	633	633	395	395	217	217	25,250	25,250	2,778	2,778
Whittier	2	30,407	15,204	4,152	2,076	1,858	929	3,453	1,727	888	444	178	89	40,936	20,468	6,377	3,189
Total 22 Cts.	51J,5C	691,847		617,258		66,348		55,253		33,477		9,954		1,474,137		165,032	
High			17,653		41,830		1,835		1,727		3,130		409		60,470		4,781
Low			7,544		1,738		621		569		192		82		15,057		1,681
Average			12,354		11,023		1,185		987		598		178		26,324		2,947
Los Angeles	49J,5C	629,543	11,658	736,361	13,636	123,073	2,279	68,853	1,275	90,689	1,679	11,622	215	1,660,141	30,743		
GRAND TOTAL	100J,10C	1,321,390	12,013	1,353,619	12,306	189,421	1,722	124,106	1,128	124,166	1,129	21,576	196	3,134,278	28,493		

JHC:mk
11-20-63

SUMMARY OF DISPOSITIONS
LOS ANGELES COUNTY MUNICIPAL COURTS

1961-62

Court	No. Judicial Officers	Traffic		Parking		Misdemeanor		Small Claims		Civil		Felony		Total		Total Minus Traffic and Parking	
		Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Total	No. Per. Judicial Officer	Dispositions	No. Per. Judicial Officer	Dispositions	No. Per. Judicial Officer
Alhambra	2	29,847	14,924	18,483	9,242	2,076	1,038	1,763	882	791	396	263	132	53,223	26,612	4,893	2,447
Antelope	1	13,985	13,985	1,683	1,683	778	778	816	816	310	310	113	113	17,685	17,685	2,017	2,017
Beverly Hills	2	32,263	16,132	78,391	39,196	1,433	717	1,177	589	4,084	2,042	307	154	117,655	58,828	7,001	3,501
Burbank	2	32,278	16,139	38,607	19,304	1,089	545	914	457	480	240	136	68	73,504	36,752	2,619	1,310
Citrus	3	36,781	12,260	7,009	2,336	2,928	976	3,642	1,214	1,289	430	387	129	52,036	17,345	8,246	2,749
Compton	3J,1C	52,070	13,018	13,821	3,455	5,383	1,346	3,696	924	1,275	319	778	195	77,023	19,256	11,132	2,783
Culver	1	9,611	9,611	11,828	11,828	747	747	431	431	250	250	114	114	22,981	22,981	1,542	1,542
Downey	3	44,509	14,836	6,820	2,273	2,018	673	2,432	811	1,018	339	345	115	57,142	19,047	5,813	1,938
East Los Angeles	3	40,067	13,356	7,230	2,410	4,433	1,478	1,977	659	349	115	502	167	54,558	18,186	7,261	2,420
El Monte	2J,1C	31,703	10,568	6,286	2,095	2,806	702	2,083	694	657	219	408	136	43,943	14,981	5,954	1,985
Glendale	2	21,551	10,776	21,547	10,774	1,518	759	1,452	726	604	302	164	82	46,836	23,418	3,738	1,869
Inglewood	2J,1C	34,628	11,543	49,710	16,570	2,970	990	1,695	424	921	307	1,088	363	91,012	30,337	6,674	2,225
Long Beach	6J,1C	47,904	6,843	94,279	13,468	11,515	1,645	3,803	543	3,889	556	1,209	173	162,599	23,228	20,416	2,917
Los Cerritos	2	36,286	18,143	6,697	3,349	1,624	812	1,915	958	746	373	226	113	47,494	23,747	4,511	2,256
Pasadena	3	38,557	12,852	29,379	9,793	3,943	1,314	2,221	740	1,013	338	542	181	75,655	25,218	7,719	2,573
Pomona	2	18,691	9,346	15,125	7,563	1,598	799	1,709	855	500	250	228	114	37,851	18,926	4,035	2,018
San Antonio	3J,1C	35,928	8,982	36,674	9,169	4,991	1,248	1,641	410	1,336	334	587	147	81,157	20,289	8,555	2,139
Santa Anita	1	10,852	10,852	1,999	1,999	1,316	1,316	957	957	519	519	147	147	15,790	15,790	2,939	2,939
Santa Monica	2	26,449	13,225	80,775	40,388	3,163	1,582	1,450	725	861	431	368	184	113,066	56,533	5,842	2,921
South Bay	3	41,930	13,977	59,233	19,744	5,376	1,792	3,315	1,105	1,156	385	511	170	111,521	37,174	10,358	3,453
South Gate	1	15,080	15,080	8,014	8,014	1,509	1,509	471	471	487	487	214	214	25,775	25,775	2,681	2,681
Whittier	2	29,319	14,659	3,332	1,666	1,846	923	2,691	1,346	710	355	163	82	38,061	19,032	5,410	2,705
Total 22 Cts.	51J,5C	680,289		596,922		65,060		42,251		23,245		8,880		1,416,567		139,356	
High			18,143		40,388		1,792		1,346		2,042		363		58,828		3,501
Low			8,982		1,666		545		410		116		68		14,981		1,310
Average			12,148		10,659		1,162		755		415		157		25,296		2,489
Los Angeles	49J,5C	589,318	10,913	653,712	12,106	107,248	1,986	53,267	986	65,120	1,206	10,217	189	1,478,882	27,387		
Grand Total	100J,10C	1,269,607	11,542	1,250,634	11,369	172,308	1,566	95,518	868	88,365	803	19,017	173	2,895,449	26,322		

JHC:pc
11/20/63

NUMBER OF JUDICIAL OFFICES ON THE COUNTY PRIMARY BALLOT ***

1954-1962

	1954		1956		1958		1960		1962	
	Unopposed	Opposed	Unopposed	Opposed	Unopposed	Opposed	Unopposed	Opposed	Unopposed	Opposed
Superior Court	45	1	25	3*	20	1	56	2	44	3*
Municipal Court	12	3**	18	2	47	7**	16	3	11	4*
Alhambra					2					
Antelope					1					
Beverly Hills					1	1*				
Burbank					2					
Citrus	1		1				1		1	1
Compton					3					
Culver City					1					
Downey					1		1			
East Los Angeles					2			1		
El Monte					1	1				
Glendale						2				
Inglewood					1	1*				
Long Beach	1	1*			2	1	2			
Los Cerritos					1		1			
Los Angeles	9	1	16	2	14	1	9	1	9	3*
Pasadena	1		1		1			1	1	
Pomona					1					
San Antonio					3					
Santa Anita					1					
Santa Monica		1*			1		1			
South Bay					2		1			
South Gate					1					
Whittier					2					
Catalina					1					
Malibu					1					
Soledad					1					

* One judicial office with no incumbent.
** Two offices with no incumbent.
*** SEE COMMENT FOLLOWING.

EVG:le
12-13-63

EXPLANATION OF DATA ON NUMBER OF JUDICIAL OFFICES
ON THE COUNTY PRIMARY BALLOT, 1954 - 1962:

SUPERIOR COURT

There were 200 judicial office elections, 190 unopposed, and ten opposed. Of the ten opposed, eight were contested against an incumbent. Of the eight contested against incumbents, the incumbent won in seven, the contestant in one.

MUNICIPAL COURT

There were ~~76~~ 123 judicial office elections, ~~57~~ 104 unopposed, and 19 opposed. Of the 19 opposed, 14 were contested against an incumbent. Of the 14 contested against an incumbent, the incumbent won in 13. The incumbent who lost was in the East Los Angeles Municipal Court District (1960).

SUMMARY OF MEETINGS OF NOVEMBER 21, 1963 AND NOVEMBER 29, 1963 RE PROPOSAL FOR MUNICIPAL COURT CONSOLIDATION

At the instance of John R. Leach, Assistant Chief Administrative Officer of Los Angeles County, a meeting was held on November 21, 1963 at the chambers of the courtroom of Municipal Court Judge Joseph A. Sprankle in Pasadena, Judge of the Pasadena Judicial District and Chairman of the Municipal Court Judges' Association.

Besides Judge Sprankle, the persons attending were: Leonard Horwin, Mayor pro Tem of Beverly Hills and Chairman of the Committee on Municipal Court Consolidation of the Los Angeles Division of California Cities, Jay Michaels who is executive director of the Los Angeles County Division of that body, John R. Leach, George W. Wakefield, Chief Assistant County Counsel, F. W. Sharp who is Administrative Officer of Pomona, the Legal Counsel of the Assembly Committee Bernard Nebenzahl, the Attorney for the Judicial Council of California, Eugene J. Didak, and C. E. Swanson, Clerk of the Santa Monica Municipal Court.

It was clearly understood that all remarks and conclusions at this session were entirely tentative, and eventually subject to approval by the organizations and entities represented.

The various proposals for municipal court consolidation including AB-2659 (Willson), AB-3085 (Flournoy), proposal of Judge Sprankle and others, as well as the objections to proposals, were considered.

The persons present sought to determine the areas of agreement and disagreement among them.

The tentative consensus appeared to be that:

1) It is desirable to maintain the existing locations of municipal and justice courts; however, such locations and the number and

boundaries of municipal court districts should be subject to change as provided in paragraph 3.

2) However, it is also desirable to achieve

a) County-wide uniformity, insofar as consistent with law, of municipal and justice courts in those practices wherein the public and the bar have a right to expect uniformity; possible examples are mutual traffic indexing system, court rules (including, for example, with regard to use of reporters), personnel rules (including, for example, vacation rights, sick leave benefits, overtime, rest periods, etc.), traffic citations, bail schedules (beyond first offense on which there is now uniformity), jury selection, jury instructions, index and record keeping system on misdemeanors (making prior convictions immediately available to any judge upon arraignment); and

b) Area-wide transferability

i) of contested cases estimated to require long trial time

ii) of judges, for limited periods, to shift a surplus of judicial time in one district, to a district in the same area having deficit of judicial time.

3) It is also desirable, from time to time as the circumstances of population, case load and other relevant factors may change, to achieve flexibility in the boundaries of existing municipal court districts and in the locations of court facilities to be built there, by permitting a majority of the municipal court judges for the county including a majority of the municipal court judges in the particular area affected, to redefine the boundaries of an existing designated municipal court district and to designate the locations of new court

facilities there, provided that there is consent of the city government of each of the cities having area within the boundaries as existing and as redefined; however, if there is consent of at least two-thirds of cities so affected, but failure of unanimous consent, the decision of the Board of Supervisors of the County shall bind.

4) It appears to be practicable to achieve the benefits stated in paragraph 2 while retaining the benefits stated in paragraph 1, in the following manner:

a) With regard to county-wide uniformity of certain practices as stated in subdivision a of paragraph 2, consideration should be given to amending the existing applicable law,

i) to permit obligatory effect upon all municipal court and justice court judges within the county, of such practices when adopted by a majority of the municipal and justice court judges of the county,

ii) to permit implementation of such uniformity by means of a presiding judge elected by a majority of the municipal and justice court judges and such staff assisting such presiding judge, as may be deemed requisite for this purpose by the aforesaid majority of judges.

b) With regard to area wide transferability of certain contested cases and of judges for limited periods,

i) such areas in general should be coextensive with the areas of the branches of the Superior Court of the county, and

ii) within each area, a majority of the municipal and justice court judges included, might elect an area presiding judge and arrange (with the cooperation, if necessary, of the county presiding judge) for such staff, as may be necessary, to enable such area presiding judge to

(aa) reassign where necessary, contested cases involving extended contests from the municipal or justice court where filed to the court of trial, where necessary to effectuate reasonably prompt trial and permit reasonably even and full use of judicial manpower in the area; but such reassignment should not be made where the case can be tried in the ordinary course of judicial business in the court where filed, having in mind the desirability wherever consistent with reasonably prompt trial and reasonably even and full use of judicial manpower in the area, that cases can be tried where filed;

(bb) to assign to other courts within the same area, and for limited periods, where the judge being temporarily assigned is in a court of surplus judicial manpower and being assigned to a court of deficit judicial manpower;

iii) in defining "certain contested cases" as mentioned, the committee members have in mind cases requiring trial of more than one day's duration; experience indicates that such cases frequently play havoc with the calendars of a single court or district with one or two judges but can more efficiently be handled, by averaging out prospective judicial time in an area-wide pool of judges,

iv) such transfers where they occur, should be well in advance of actual trial date so as to permit full time for subpoena, and for advance planning by parties, counsel and witnesses,

v) while certain members of the committee stated an opinion that one of the courts in the area should be the permanent locale of the presiding judge for that area and his staff, with provision there for the juries available for transferred cases, there was contrariety of facts and opinion on this point.

5) At a further meeting of the same persons (except Mr. Wakefield) at the same place, on November 29, it was agreed that

a) the foregoing paragraphs 1 through 4 are a fair summary of the extent of consensus;

b) several of the persons present suggested that the objectives stated in paragraphs 2 through 4 could be achieved by action of the Board of Supervisors under existing law. This action would be to emulate the Superior Court by establishing one municipal court district for the County of Los Angeles, and designating the present multiple districts as branches within the one district.

Representatives of the cities stated objections to the suggested action in that

i) it would destroy local electoral control of municipal court judges, and substitute a county-wide election where the possibility of effective challenge would be virtually nil, and

ii) a county-wide district even though divided into so many branches as the present districts, would be likely to mean county-wide control of judges and cases; it is felt that such centralization is unnecessary, promotes inefficiency, reduces the quality of justice, and frustrates local responsibility for the control of local courts.

No consensus was reached on the context of this paragraph 5.

It was agreed that after Leonard Horwin, as Chairman of the Committee on Municipal Court Consolidation of the Los Angeles County Division of League of California Cities, reports back to his Committee and then to the Board of Directors of the League, a further meeting will be held at the chambers of Judge Sprankle on December 16, 1963 at 1:30 P.M. of the persons thus far present and such additional persons, if any, as may be appropriate.

CALIFORNIA LEGISLATURE, 1963 REGULAR (GENERAL) SESSION

ASSEMBLY BILL No. 2659

Introduced by Mr. Willson

April 24, 1963

REFERRED TO COMMITTEE ON JUDICIARY

An act to add Article 3.5 (commencing with Section 71120) to Chapter 6 of Title 8 of, and to add Section 72602.3 to, the Government Code, relating to municipal and justice courts.

The people of the State of California do enact as follows:

SECTION 1. Article 3.5 (commencing with Section 71120) is added to Chapter 6 of Title 8 of the Government Code, to read:

Article 3.5. Consolidation of Judicial Districts

71120. This article applies only to the consolidation of judicial districts in the County of Los Angeles.

71121. Notwithstanding any other provision of law, whenever two or more municipal or justice court judicial districts, by ordinance duly adopted by the board of supervisors of the county wherein such districts are located are consolidated into one municipal court judicial district, the consolidated district shall have the sum of the number of judicial offices theretofore provided by law for the component districts; provided that the number of judicial offices of the consolidated district shall not include the office of any incumbent judge of a component justice court district who is ineligible to succeed to office as judge of the municipal court.

71122. The judges of courts superseded by consolidation of judicial districts shall, if eligible, automatically succeed to judgeships of the consolidated district.

LEGISLATIVE COUNSEL'S DIGEST

A.B. 2659, as introduced, Willson (Jud.). Consolidation of judicial districts.

Adds Art. 3.5 (commencing with Sec. 71120), Ch. 6, Title 8, and adds Sec. 72602.3, Gov.C.

Provides for consolidation of various municipal and justice court districts in Los Angeles County; provides for succession of judges and attachés of superseded districts into consolidated districts; provides for number of judges in each of the several judicial districts effective October 1, 1963.

71123. A judge automatically succeeding to a judgeship in a consolidated district shall continue to hold office in such district for the term to which he was elected or appointed in the component district, and until his successor is elected and qualifies; but in no event shall such judge or his successor be elected at any election held within 18 months of the effective date of the ordinance adopted by the board of supervisors fixing for the first time the boundaries of the consolidated district.

71124. Upon consolidation of judicial districts, the territory embraced within the respective prior component judicial districts shall be designated as separate administrative areas for the purposes of filling vacancies in judicial offices and maintaining sessions of the court. Each judicial office existing at the time of consolidation shall be labeled as to administrative area, and appointment or election of judges to fill vacancies in each office shall thereafter be made only of residents eligible to vote within the respective administrative area of each judicial office. Notwithstanding the foregoing, additional judicial offices provided by law for the consolidated district subsequent to consolidation may be filled in the manner provided generally for filling vacancies in judicial office, without regard to residence within an administrative area.

71125. In consolidated judicial districts, the designation, addition, elimination or change of location of the sessions of the municipal court shall first be approved by a majority of the judges of the municipal court district affected and shall be adopted by ordinance of the board of supervisors; provided that in no event shall the consolidated district regularly maintain fewer sessions of the municipal court in each administrative area than existed within the respective component judicial district prior to consolidation.

71126. The number of clerks, commissioners and other attachés of each consolidated district shall be the sum of the number of clerks, commissioners and other attachés theretofore provided by law for the component judicial districts, and such clerks, commissioners and attachés shall automatically succeed to the same or comparable positions in the consolidated district upon the effective date of the consolidation; provided, that in any consolidated judicial district having two judges, the provisions of Section 72753 shall apply with reference to number and class of clerical personnel and compensation thereof. Notwithstanding any other provision of law as to the qualifications of a commissioner, the judge of a component court who is ineligible to succeed to the office of judge of the consolidated municipal court, shall be deemed to be a commissioner within the meaning of this section.

71127. Compensation and other benefits provided by law for clerks, commissioners and other attachés shall not be affected and shall in no event be diminished by the consolidation of judicial districts; provided, however, that the clerk of the consolidated district who shall be appointed from the clerks of the component districts by the majority of the judges of the consolidated district, or in consolidated districts having only two judges, by the judge senior in service, shall be compensated at the rate of one schedule in excess of the highest schedule paid to a clerk of a component judicial district as otherwise provided by law; provided that the foregoing provision insofar as it relates to compensation shall not apply to the clerk of a consolidated district having 50 or more judges. Insofar as not in conflict with the provisions of this article, the provisions of Section 71085 through 71094 relating to the succession of personnel of superseded courts shall apply to the personnel of courts superseded by consolidation of judicial districts.

71128. Notwithstanding any other provision of law, the office of presiding judge of a consolidated judicial district, except in consolidated districts having 50 or more judges, shall be rotated annually among the judges of the separate administrative areas, as that term is defined in Section 71124, in order that the office of the presiding judge be occupied in successive years by judges from each administrative area.

71129. The clerk of the consolidated judicial district, who shall be appointed as provided in Section 71127, shall locate his office annually in the administrative area of the presiding judge.

71130. In any consolidated judicial district having one or more commissioners, such commissioner or commissioners shall be rotated among the separate administrative areas as that term is defined in Section 71124 in accordance with workload requirements.

SEC. 2. Section 72602.3 is added to the Government Code, to read:

72602.3. Effective October 1, 1963, each of the Los Angeles County municipal courts established in judicial districts shall have the number of judges set out below opposite the name of the judicial district over which such court has jurisdiction:

Los Angeles Judicial District	52
North Central Judicial District	4
Northeast Judicial District	6
East Judicial District	7
Southeast Judicial District	9
South Judicial District	11
Southwest Judicial District	5
West Judicial District	5
Northwest Judicial District	2

Upon the effective date hereof the provisions of Sections 72602, 72602.1 and 72602.2 shall be superseded by the provisions of this section.

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CALIFORNIA LEGISLATURE, 1963 REGULAR (GENERAL) SESSION

ASSEMBLY BILL No. 3085

Introduced by Assemblyman Flournoy

April 26, 1963

REFERRED TO COMMITTEE ON JUDICIARY

An act to add Article 5 (commencing with Section 72790) to Chapter 9 of Title 8 of the Government Code, relating to municipal and justice courts.

The people of the State of California do enact as follows:

SECTION 1. Article 5 (commencing with Section 72790) is added to Chapter 9 of Title 8 of the Government Code, to read:

Article 5. The Los Angeles County Courts Administration District

72790. The purpose of this article is to create a district with administrative functions only. It shall include all municipal courts and justice courts within Los Angeles County, excluding the Los Angeles Judicial District, for the purpose of improving the administration of justice in such courts, without enlarging or diminishing the jurisdiction of any judicial district, and increasing their efficiency.

72791.. There is hereby created a Los Angeles County Courts Administration District, which shall include all municipal and justice courts in the County of Los Angeles, except that it shall not include the Los Angeles Judicial District.

The chief administrative officer shall be a judge of the municipal court within such administrative district and shall be designated the presiding administrative judge.

LEGISLATIVE COUNSEL'S DIGEST

A.B. 3085, as introduced, Flournoy (Jud.). Los Angeles courts.

Adds Art. 5 (commencing with Sec. 72790), Ch. 9, Title 8, Gov.C.

Creates the Los Angeles County Courts Administrative District to include all municipal and justice courts in Los Angeles County except the Los Angeles Judicial District. Provides for chief administrative officer who shall be a judge of a municipal court in the district. Prescribes his duties.

Provides for executive officer of district.

72792. A majority of the judges of the municipal courts in the district shall annually convene to select the presiding administrative judge.

72793. The term of office of the presiding administrative judge shall be one year.

72794. In addition to his salary as judge of the municipal court, the presiding administrative judge shall receive a compensation in the amount of three thousand dollars ($3,000) a year.

72795. The presiding administrative judge, subject to confirmation by the Board of Supervisors of the County of Los Angeles, shall appoint and employ such officers, assistants and employees, as shall be necessary for the performance of the duties and exercise of the powers of the presiding administrative judge.

The Board of Supervisors of the County of Los Angeles shall provide suitable offices, equipment and supplies required by the presiding administrative judge and shall appropriate sufficient funds for the carrying out of the purposes of the administrative offices.

72796. An executive officer shall be appointed by a majority of the judges within the Los Angeles County Courts Administration District. He shall assist in the performance of the duties and exercise of the powers conferred by law upon the presiding administrative judge.

72797. The annual salary of the executive officer shall be not less than fifteen thousand dollars ($15,000), and shall be paid out of appropriations from the general fund of Los Angeles County.

72798. The duties of the presiding administrative judge shall include, but not be limited to the following:

(1) To expedite judicial business within the district.

(2) To temporarily assign judges from district to district to equalize work and case loads, to sit where a vacancy exists, or where a judge is unable to act. No judge shall be required to take such an assignment for more than 30 days during any period of six months, provided, that a trial in progress shall be completed.

(3) To establish and administer a procedure for the transfer of cases from district to district to prevent delay in going to trial, such transfer to be with the consent of all litigants appearing at the time of trial or by prior consent of parties whose cases are transferred.

(4) To establish and administer in co-operation with the Los Angeles Judicial District and all other interested public agencies a central prior traffic offense record for the district: (1) provided experience indicates that its operation improves the administration of justice, and improves the driving habits of the general public and is not continued solely as a means of raising revenue; (2) provided a statewide traffic offense record is not established within the Department of Motor Vehicles in Sacramento.

(5) To provide such jury commissioners as may be necessary to interview and examine prospective jurors in each judicial district, in co-operation with court clerks, for the purpose of promoting efficiency and economy.

(6) To exercise such other powers or duties as may be provided by law.

72799. The judicial council shall be requested to appoint and assign a judge to sit in the municipal court from which the presiding administrative judge was selected during his term as presiding administrative judge.

72800. Judges assigned by the presiding administrative judge to sit in another district shall be reimbursed for their expenses of travel, board, and lodging, when required, in such amounts as shall be determined by the presiding administrative judge.

72801. The presiding administrative judge may appoint committees of judges from the several judicial districts to serve in an advisory capacity and to assist in studies of the condition of business in the courts and the means for simplifying and improving the administration of justice and in the performance of any other duties of the office. The committees may gather information and make recommendations to the presiding administrative judge, but they shall not have any of the powers vested in him.

72802. The clerks of all municipal and justice courts shall keep such records and statistics and make such reports to the presiding administrative judge, in such manner and at such times as shall be required respecting the condition and disposition of judicial business in their respective courts.

72803. This act shall not enlarge or diminish the jurisdictional area of any municipal court, justice court, or judicial district, nor shall it reduce the salaries of any judge, marshal, clerk, officer, deputy, or attaché of any court.

72804. No provision of this article shall be construed as authorizing the establishment of master calendars or decentralized jury paneling within the Los Angeles County Courts Administration District.

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